MEMORIALS OF ARCHBISHOP CRANMER

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STRYPE'S
MEMORIALS OF
ARCHBISHOP CRANMER.

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Appendix

IN THREE VOLUMES.

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VOL. III.

APPENDIX AND ADDENDA.

OXFORD:
PRINTED BY JAMES WRIGHT, PRINTER TO THE UNIVERSITY,
FOR THE
ECCLESIASTICAL HISTORY SOCIETY.
M.DCCC.LIV.

SUPPLEMENT TO

APPENDIX TO BOOK II.

OF THE

MEMORIALS OF ARCHBISHOP CRANMER.

NUMBER LXVIII.

[This document belongs to the second volume of this work, in the Appendix to which it occurs, p. 675. But its intrinsic importance is so great, that the present editor has thought it right to reprint it *literatim* from the original in the Inner Temple Library. Its importance will appear from the following valuable passage in Dr. Nares's Memoirs of Lord Burghley, vol. i. pp. 449—452. "That the king had such things in view," (i. e. the adoption of the Salic law) "possibly moved thereto by the extraordinary writings put abroad in his own time against the rule of women, particularly by Knox, . . is clear from a Device still preserved among the Petyt MSS., in his own handwriting, and printed by Burnet and Strype. . . . From the same MSS. Burnet and Strype have also printed a very curious document, purporting to be the original assent of the council to Edward's limitation of the crown by will, signed by twenty-four counsellors, and among others, Cecil. . . . It may be doubted how far it *could* be drawn up with any direct view to Northumberland's project of making the crown pass immediately from Edward to the Lady Jane. . . . The principal point to consider would be, whether the council had a view only to the king's device of limiting the succession to the heirs male, or whether they then intended to consent to the Lady Jane's being brought into the succession as a female heir, being thereby preferred to the late king's two daughters. The allusion to the Device occasions all the difficulty. The king's own device seems to have been to exclude the females totally, though in the course of the proceedings, through the machinations of Northumberland, he was brought in fact and reality to prefer the Lady Jane to his two sisters. We are disposed to think he was deceived, being too weak to investigate the matter thoroughly. In truth, the instrument itself, as it appears in Strype's Cranmer, Appendix 164 (68), is most curious; for if the king's device was to exclude the females, two very trifling words make all the difference." And then Dr. Nares remarks upon the alteration by interlineation and erasure from "the Lady Janes heires masles," to "the Lady Jane and her heires masles;" as below. "From the whole it appears how much it was at one time at least the king's own device to limit the succession to the issue male coming of the issue female, which are his own words, though scratched through." The succeeding observations pp. 453, et seqq. are well worth attention.]

AN INSTRUMENT OF THE COUNCIL, SWEARING AND SUBSCRIBING TO THE SUCCESSION, AS LIMITED BY THE KING.[b]

EDWARD.

MSS. D. W. Petyt. [Inner Temple Library. No. 538. vol. 47. fol. 316, Original.]

Wee Whose Names bee underwrytten, having heretofore many tymes hard the kings majesty, our most gracious Soueraygne lords earnest desire and expresse commawndmente toching the Limitation of the succession in the imperiall crown of this realme and others his majesties realmes and dominions and having seen his majesties own Devise toching the sayd succession first holly wrytten with his most gracious hande and after Copied owt in his majesties presence, by his most high commawndment and confirmed with the Subscription of his Majesties own hande, and by his highnes delyveryd to certayn Judges and other lerned men to be wrytten in full order DOO, by his majesties speciall and absolute commawndment, eftsones given us agree and by thes presents signed with our hands and sealed with our seales promise by our othes and honors to obserue fully perform and kepe all and every article [c]clause brawnch and matter conteyned in the sayd wryting delyveryd to the Judges and others and subscribed with his majesties hande in six seuerall places, and all suche other matter as his Majesty by his last will shall appoynt declare or commawnd toching or concerning the limitation of the succession of [d]the sayd imperiall crowne, And we do further promyse by his majesties sayd commawndment never to varie or swarve during our liefs from [e]the sayd limitation of [f]the succession, butt the same shall to the vttermost off our powers defende and mayntayne, And if any of vs or any other shall att any tyme herafter

---

[b] [This heading is Strype's.]

[c] [clause, omitted by Strype.]

[d] [his: Strype.]

[e] [his: Strype.]

[f] [his: Strype.]

(which god forbydd) varye from this agrement or any part therof, Wee and [g]every us doo assent to take vse and repute hym for a breaker of the commen concord peace and Vnite of this realme, and to doo our [h]uttermost to see hym or them so varying or swarving punisshed with most sharpe punishment according to their deserts.

T.Cant. T.Ely Canc Winchester Northumbrland J.Bedford J.Suffolk
W Northt
F Shrewesbury
F. Huntyngdon. Penbroke
F. Clynton T Darcy G. Cobham
R. Ryche T. Cheyne
John Gate Willm. Petres
Joan. Cheek
W. Cecill Edwarde mountagu
John Bakere
Edward Gryffyn
John Lucas[i]
John Gosnald

[THE KING'S OWN WRITING, DIRECTING THE SUCCESSION.[k]]

MSS. D. Wil. Petyt. [as above, fol. 317.]

My deuise for the succession.

1. For lakke of [l]issu of my body, to the L Fraunceses heires masles, [m]if she haue any such issu [n]befor my death to the Lady [o]Jane and her heires masles, To the L Katerins heires masles, To the L Maries heires masles, To the heires masles of the daughters wich she shal haue hereafter. Then to the L Margets heires masles. For lakke of such issu, to theires masles of the L Janes daughters To theires masles of the L Katerins daughters and so furth til you come to the L margets [p]daughters heires masles.

---

[g] [every of us: Strype.]

[h] [utmost: Strype.]

[i] [The signatures are in autograph; but there are no seals.]

[k] [Autograph.]

[l] [After the word "issu," the word "masle" had been first interlined, and then cancelled . . . issue for my body: Strype.]

[m] ["if she have any," interlined; and, "For lakke of," cancelled.]

[n] ["before my death," interlined.]

[o] [These words originally stood thus; "the Lady Janes heires masles." The s in "Janes" is cancelled; and the words "and her" interlined.]

[p] ["daughters" interlined.]

2 If after my Death, theire masle be entered into 18 yeres old, then he to haue the hole rule and gouernaunce therof.

3. But if he be under 18, then his mother to be Gouuernes til he entre 18 yeres old,

But to doe nothing without th'aduise and agrement of 6 parcel of a counsel to be pointed by my last Wille. to the nombre of 20.

4 If [q]the mother die befor th'eire entre into 18 the realme to be gouerned by the counsel.

Prouided, that after he be 14 yeres, al great matters of importaunce be opened to him.

[*The two following sentences are cancelled*[r].]

5. If i died without issu, and there were none heire masle, then the L Fraunces to be gouuernes for lakke of her, then her eldest daughters and for lakke of them the L Marget to be gouuernes after as is aforesaid, til sume heire masle be borne, and then the mother of that child to be gouuernes.

6. And if during the rule of the gouuernes there be 4 of the counsel then shal she by her letters cal an assemble of the counsel within one month folowing and choose 4 more, wherein she shall haue thre voices. But after her death the 16 shal choose among themselfes till th'eire come to 14 yeare olde, and then he by their aduice shall chose them.

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[q] [their : Strype.]

[r] [These sentences are not given in Strype.]

APPENDIX TO BOOK III.

OF THE

MEMORIALS OF ARCHBISHOP CRANMER.

NUMBER LXIX.

[See p. 7 of this volume. Endorsed in Sir W. Cecil's handwriting: "Lord Riche 1552. 19 Julii." (These words preceding are crossed out with a pen:) "From the Counsell named Q. Jane's Counsell. Wrytten by Sir John Cheke." Endorsement in Strype's handwriting: "Answer to my Lord Riches letter enforming them that the L. of Oxford was gone over to Q. Mary. Desire him to continue stedfast to Q. Jane."]

A LETTER OF Q. JANE'S COUNCEL TO THE LORD RICH, L. LIEUTENANT OF THE COUNTY OF ESSEX.[b]

Sir W. H[ickes's] MSS. [Lansdowne MSS. iii. 26. British Museum. Original.]

After our right hartie commendations to youe Ll. Although the matter conteined in your letters of therle of Oxfords departing to the ladi Mari, be grevous unto us for divers respectes, yet we must neades give your Ll. our hartie thankes, for your redi advertisement thereof requiring your Ll. nevertheles, like a noble man to remain in that promise and steedfastness to our Sovereign Ladi Queen Janes sernice, as ye shall find us redi and firme with all our force to the same, which neither with honor, nor with saftie, nor yet with dutie, we mai now forsaake. [c]Thus we bid your l. hartilie well to fare. From the toure of London the xix of Julie 1553.

Your l. assured loving freends,

[d]T. Cant'.

T. Ely Canc'
J. J. Suffolk
Penbroke

Willm̄ Paget

Winchester
Arundell

T Darcy
T. Cheyne
W Petre S
Jo' Bakere

J Bedford
F. Shrewsbury

Rychard Cotton
Jo Cheek
Robert Bowes

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[b] [Original endorsement: "To our very good Lord the Lord Riche the Queene's Highness Lieut. for the Countie of Essex."]

[c] [The sentence "Thus we—fare" omitted by Strype.]

[d] [These signatures are in autograph.]

NUMBER LXX.

[See p. 8 of this volume.]

Foxii MSS. [Harl. MSS. 416. fol. 30. British Museum. Original.]

QUEEN JANE TO SIR JOHN BRIDGES, AND SIR NICOLAS POYNTZ, TO RAISE FORCES AGAINST A RISING IN BUCKS.[e]

[f]Jane the Quene.

Trusty and Welbeloved, we grete [g]. . . . well. Because we doubt not but this our most lawfull possession of the Crowne with the free consent of the Nobilitie [g]. . . . our Realm, and other the states of the same, is both playnly knowen, and accepted of you, as our most loving subiects, therfore we do not reiterate the same, but now most earnestly will and require, and by authoritie hereof warraunt you, to assemble, muster, and levie all the powre, that you can possible, make, either of your servants, tenants, officers or freends, aswell horsemen, as footmen, reserving to our [h]right trusty, and right welbeloved Cousins, the Erls of Arundell and Penbroke[i], their tenants, servants, and officers, and with the same to repaire with all possible spead towards Buckinghamshire, for the repression and subdewing of certain tumults and rebellions moved there against us, and our Crowne by certain seditious men. For the repression wherof we have given ordre to divers others our good subjects and gentlemen of such degree as you ar, to repaire in like manner to the same parties: So as we nothing doubt but upon the accesse of such our loving subiects as be appointed for that purpose to the place [k]where * this seditious people, yet remayne the same shal eyther lake harte to abyde in their malitious purpos . . . or ells receyve such punishment and execucion, as they deserve, seking the destruccion of their native Countrie, and the subversion of al men in their degrees, by rebellion of the base multitude. Whos rage being stirred, as of late yeres hath been seen, must nedes be the confusion of thole common weale. Wherfor our speciall trust is, in your courage, wisedome and fidelities in this matter to advaunce your self bothe with power, and spead to this enterprise in such sorte as by our nobility and counsaill shalbe also prescribed unto ȝon. And for the sustentation of your chardgs in this behalf, our said Counsaill by our commaundement do furthwith give ordre to your satisfaction, as by their lettres also shall appear unto you. And besides that, we do assure you of our speciall consideracion of this your service to us, our Crowne and expresly to the preservacion of this our Realm and Commonweale. Yeven under our signet at our Toure of London the xviijth day of July, the first yeare of our reigne.

---

[e] [Endorsed: "To our trustie and well beloved Sir John Bridges, and Sir Nicholas Poyntz, Knyghtes.]

[f] [The queen's name is autograph.]

[g] [The MS. is torn in these places.]

[h] ["our trusty:" Strype.]

[i] [The following words are inserted in the margin of the MS. in Strype's handwriting: "tho' these earls at the same time were plotting against her."]

[k] ["yet" (after where) crossed out.]

NUMBER LXXI.

[See p. 8 of this volume. This is evidently a rough draft, as appears from the alterations in the MS. and the blank for the date. The variations given in the notes are those of Strype.]

The Councellors of Q. Jane, their letter to the Lady Mary, acknowledging her Queen.

Sir W. H[ickes's] MSS. [Lansdowne MSS. iii. 26. British Museum.]

Our bounden duties most humbly remembred to your most excellent Majesty, it may lyke the same to understande, that Wee, your most humble, faythfull and obedient subiects, having allways (God wee take to wytnes) remayned your Highnes true and humble subiects in our harts ever sythens the death of our late Souveraigne lorde, and Master your Highnes brother, whom God pardon, And seing hitherto no possibilitie to utter our determination herein, withowt great destruction and bludshedd, bothe of our selfs and others till this tyme, have this day proclaymed, in your city of London, your Majesty to bee our true naturall Souveraign liege ladie, and queen, most humbly beseeching your Majesty to pardon and remytt our former infirmities, and most graciously taccept our meanings which have byn ever to serve your Highnes truely, And so shall remayn [l]with all our powers and forces to theffusion of our [m]bludd, as

[l] [in.]

[m] [bludds.]

thies berars our very good lords, therle of Arundell, [o]and L Paget can, and be redy more particularly to [p]declare. to whom it may please your Excellent Majesty io give firme credence. And thus we do, and shall dayly pray to allmighty God for the preservation of your most royall person long to reigne over us. From your Majesties cytey of London this day of Julie, the first yere of your most prosperous Reygne.

Thus endorsed by the hand of Sir Will. Cecil.
Copie of the letter to the Quene[q] *from Baynard Castle,* 20 *July* 1553.

NUMBER LXXI.*

[See p. 17 of this volume. So many versions exist of this important document, that the editor has thought it advisable to insert it in the Appendix, with the various readings; for which purpose a special collation has been made of each of the copies referred to. The Latin version, as published by Burnet, is given in a parallel column. Dr. Jenkyns's example has been followed in adopting one of the MSS. in the library of Emmanuel College as the text. At first the editor was disposed to consider this as less authentic, since it had some readings not supported by the other versions : especially in the passage "Nor no man can say the contrary and speak truly" &c. : but on consideration it appeared to him that Dr. Jenkyns's judgment, never to be lightly questioned, was sound. The passage alluded to seems to be one of the final corrections of the archbishop himself, when all hope of license from the queen was past. It is also more explicit, and in point of style and effect better than the former reading. The other corrections are for the most part obvious improvements. The Copy at Corpus Christi College, which is in Cranmer's handwriting, is probably the original draft. It bears marks of haste, in some less correct phrases, and in this unqualified expression, "Whereas the mass *not only hath any* foundation," correctly altered afterwards thus, "whereas the mass *in many things* hath no foundation." The initials in the notes are to be thus explained. C. The MS. in Corpus Chr. Coll. E. The second MS. in Emmanuel Coll., used as text by the editor of the Parker Society's edition of Cranmer's works. M. The version in the Martyrs' Letters. F. That in Foxe. H. The printed Copy among the Harl. MSS. This is a leaf, with the signature B. 3., from which Strype took his text. S Strype's text.

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[o] [and L Paget : interlined.]

[p] [declare : interlined, instead of, mak full declaration : which is crossed out.]

[q] [Mary : inserted after Quene in Strype's handwriting.]

Two MSS. Emmanuel Coll. Camb. MS. Corp: Chr: Coll. Camb. cv. p. 321. Foxe's Acts and Monuments, p. 1466. Ed. 1583. Martyr's Letters, p. 1446. ed. 1583. A. printed copy among Harl. MSS. 417. p. 92. British Museum.

ARCHBISHOP CRANMER'S DECLARATION CONCERNING THE MASS.

Burnet Hist. of Reformat. vol. ii. pt. ii. p. 349. ed. Oxon. 1829.

[b]*A declaration of the reverend Father in* [c]*God* [d]*Thomas Archbysshop of Canterbury,* [e]*concerning the* [f]*slaunderous and untrue report of some, which have reported, that he shuld set* [g]*upp the* [h]*Masse at* [i]*Canterbury.*

As the divell [k]Chrystes enemie is a lyar and [l]the Father of [m]lieng: even so [n]he [o]hath [p]sturred upp his servantes and membres to persequute Christ and his true woorde and [q]religion with lieng; [r]which he ceaseth not to doo most [s]er-

Purgatio reverendissimi in Christo patris ac domini D. Thomæ Archiepiscopi Cantuariensis, adversus infames sed vanos rumores a quibusdam sparsos, de missa restituta Cantuariæ.

From the Copy printed that year. [Burnet.]

Quanquam Satan vetus Christi hostis, mendax ipse atque mendacii parens, nullis unquam temporibus abstinuit suis armandis mancipiis et membris adversus Christum et veram ipsius religionem, variis subinde excogitatis mendaciis:

---

[b] Endorsed (in the copy whence the text is taken) "The constant contynuaunce in gode's holy trinity of the most Reverend Father in God and blessed Martyr of Jesus Christ Thomas Cranmer Archbysshop of Canterbury." In margin of C. "Thomas Cranmer after Q. Mary was placed." The heading in M. is different, viz.: "A Letter wherein he reproveth and condemneth the false and sclaunderous reportes of the papistes which said that he had set up masse again at Canterburye." In Foxe it is thus: "A Purgation of Thomas Archbishop of Canterbury, against certain slanders falsely raised upon him."

[c] Christ: E.

[d] Thomas Cranmer, Archbishop: S. Thomas Cramner, Archbishop: H.

[e] condemning the untrue and slanderous reporte: H.S.

[f] untrue and slaunderous: C. untrue report and slander: E.

[g] up again the mass in Canterbury: E.

[h] mass again. As the devil: C.

[i] Canterbury, at the first coming of the queen to her reign, 1553: H.S.

[k] Christ's ancient adversary: C.E. M.F.H.S.

[l] a father: C.

[m] lies: F.

[n] hath he: M.F.H.S.

[o] he hath ever C.E.

[p] stirred his H.S.

[q] religion: which he ceaseth: H.S.

[r] which lying he feareth not: E.

[s] earnestly at this: C.E.M.F.H.S.

nestly with lieng at this [t]present time. [u]For as a prince [x]of most famous memorie King Henry the viiith seing the greate abusies of the Latine [y]masse reformed [z]some thinges [a]in his time: [b]and after [c]our souereign Lorde King Edwarde the vi.th tok the same [d]wholy awaie [e]for the great and manifolde errours and abusies of the same and restored in the place therof Christes holly supper according to [f]Christes oune institucion: and as [g]thaposteles used the same in the primative [h]Church in the [i]beginning: so the devill goeth [k]about now by lieng to overthrow the [l]Lordes holy [m]supper again, and to restore [n]his latin satisfactorie [o]masse, a thing of his own invencion and device. And to bring the [p]same

idem tamen his nostris temporibus agit sane perquam sedulo. Nam cum rex Hen. 8. princeps illustrissimæ memoriæ deprehensis erroribus atque infandis abusibus Latinæ missæ, ipsam aliquousque cæpisset corrigere, deindeque filius qui proxime secutus est supremus dominus noster rex Edwardus 6. non ferens hos tantos, tamque manifestos errores atque abusus omnes pœnitus sustulisset, restituta sacros: Christi cœna et plane ad ipsius institutum atque apostolorum et ecclesiæ primitivæ exemplum; Diabolus contra tentavit nuper si posset, rursum ejecta dominica cœna, Latinam et satisfactoriam missam, (suum ipsius inventum et institutum scilicet) rursum hominibus nostris obtrudere. At-

---

[t] present. For: E.M.H.S.

[u] For whereas the prince: C.M.F. For whereas a prince: E. For whereas the most noble prince: H.S.

[x] of famous: E.M.H.S.

[y] masses: H.S.

[z] Some things therein in: C.F. some thing therein: E.M.H. Something herein in: S.

[a] in time: E. in his lifetime: F.

[b] and also our: M.H.S.

[c] our late Soveraign: C.E.M.F. H.S.

[d] whole: C.M.H.S.

[e] for the manifold errors and abuses thereof: C.E.M.H.S. for the manifold and great errors and abuses of the same: F.

[f] Christ's institution: E.

[g] the apostles in the primitive Church used the same: C.E.M.H.S.

[h] Church; the devil: F. the same; the devil: M.

[i] beginning: the devil: C.H.S. beginning: now goeth the devil about by lying: E.

[k] about by: C.M.H.S.

[l] Lord's supper: F.

[m] supper: and to restore: C.M.H.S.

[n] the Latin: H.S.

[o] masses: H.S.

[p] same the more: E.

more easily to passe, [q]some have abused the name of me Thomas Archbysshop of Canterbury, and bruting abroade that I haue set upp the [r]masse againe [s]at [t]Canterbury, and that I [u]offered to say masse at the buriall of our late soueraign Prince King [x]Edward, [y]and that I [z]offered also to say masse before the quenes [a]Highnes, and at Powles churche, and I wot not [b]where. And although I have ben well exercised these xx. [c]yeres to suffre and beare [d]evell reportes, and lies, and [e]haue not [f]been moche grieved therat, but haue born all things quietly: [g]yet vntrue [h]reportes to the hinderince of godes [i]trueth, arr in no [j]wise to be [k]tolerated, and suffered. Where-

que id quod facilius posset effici, ausi sunt quidam abuti nomine nostro Thomæ Cantuarien. archiepiscopi, spargentes in vulgum missam meo jussu Cantuariæ restitutam, meque adeo cantaturum fuisse missam in funere nuper principis nostri summi Edwardi 6. regis, imo idem quoque facturum recepisse coram majestate reginea, et ad Paulum, et nescio ubi præterea. Porro tametsi jam 20. ab hinc annis multos ejusmodi rumores de me vanos et falsos pertulerim, utcunque fortiter et modeste, nunquam data hactenus significatione ulla commoti animi ob res hujusmodi; attamen si quando in fraudem atque injuriam veritatis Dei talia jactarentur,

---

[q] some of his inventors have abused: E.

[r] mass at Canterbury: M.F.H.S.

[s] in Canterbury: E.

[t] Canterbury, and that I offered to say mass before the Queen's highness C.H.S.

[u] Canterbury, and that I offered myself: E.

[x] Edward the sixth: E.M.F.

[y] and also that I offered: E.M.

[z] offered myself: E.

[a] Highness, at Paul's Church in London, and: E.

[b] where. I have been well exercised: H.S.

[c] years to bear evil: C. years in suffering and bearing: E.

[d] evil bruits, reports and lies: C.E.

[e] have been: M.

[f] be: C.

[g] yet when untrue: C.E.M.F.H.S.

[h] reports and lies turned to the hinderance: C. reports and lies turn to the hinderance: E.M.F.H.S.

[i] truth, they be in no wise: C.M. H.S. truth, then they are in no wise tolerate: E. truth, they are in no wise: F.

[j] wise to be suffered. Wherefore: M.F.

[k] tolerate: C.H.S. tolerate, or to be suffered: E.

fore [l] thiese be to signifie [m] to [n] the whole [o] worlde that it was not I that dyd set upp the masse [p] at Canterbury, but it was a false [q] flattering, lieng and [r] dissimuling monke, which [s] caused masse to be sett upp [t] there without [u] myne advise [x] or Counsell. *Reddat illi Dominus in* [y] *die illo.*

Thorotoneus Suffraganeus Dovorensis.

[z] And as for offering my self to say masse before the quenes [a] highnes or in any other place, I never [b] dyd, as her [c] grace ryght well [d] knoweth. Nor no man can say the contrary and speake truely that there is any thing in the Communion set out by the most

haud quaquam diutius perferri posse judico. Quæ res me impulit, ut scripto hoc testatum universo orbi facerem nunquam me autore missam Cantuariæ cantatam, sed vanum quendam adulatorem, mendacem atque hypocritam monachum, me nec consultore, neque conscio ibidem hoc ausum fuisse: Dominus illi reddat in die illo.

Quod porro meipsum obtulerim ad legendam missam coram majestate reginea aut usquam alibi, quod id vanum sit satis novit ipsius majestas; a qua si potestatem impetro, palam omnibus faciam, contraque omnes diversum putantes pro-

---

[l] this is to signify: E.

[m] unto: C.M.F.

[n] the world: C.E.M.F.H.S.

[o] world, that it was a false: M.

[p] in Canterbury: E.

[q] flattering, and dissembling: C. flattering and lying monk, with a dozen of his blind adherents, which caused: E.

[r] dissembling: C.M.F.H.S.

[s] caused the mass: C.E.H.S.

[t] there, and that without: E.

[u] my: C.H.S.

[x] and counsel: C. counsel. And as for H.S.

[y] *illo die*: C.

[z] And for: C.

[a] highness at Paul's, or: E.

[b] did it, as: E.M.F.

[c] grace well: C.E.M.F. grace knoweth well: H.S.

[d] knoweth. But if her grace will give [grace give M.] me leave, I shall be ready to prove, (against all that will say the contrary) that all that is said in the holy Communion, set out: C.M. knoweth. But if her grace will give me leave, I will, and by the might of God shall be ready at all times to prove against all that would say the contrary, that all that is said in the holy communion, set forth: E. knoweth. But if her grace will give me leave, I shall be ready to prove, against all that will say the contrary, that all that is contained in the holy communion set out . . . F. knoweth. But if her grace will give me leave, I shall be ready to prove against all that will say the contrary; and that communion book [that the communion book S.] set forth H.S.

[e]godly and innocent prince King E. the vi.th in [f]his high court of [g]Parliament; but that it is [h]conformable to [i]the ordre which our [l]savior Christ [m]dyd obserue, and [n]commaunde to be [o]obserued, and which [p]his apostles [q]and the primative church vsed many yeres, Wheras the [r]masse in many thinges not only hath no fundacion of [s]Christes Apostles, [t]or the primative church, [u]but is [x]manifestly contrary to the same. and [y]conteigneth many horrible [z]abusies in it. [a]And [b]although [c]many vnlearned [d]or [e]malicious [f]doeth report that m.r Peter Martyr is vnlearned; yet if the quenes highnes woll [g]graunt therunto, I with [h]the

babo, omnia, quæ in communione (quam restituit innocentissimus idemque optimus princeps rex Edwardus 6. in comitiis regni) leguntur, respondere institutioni Christi atque apostolorum et primitivæ ecclesiæ exemplo, multis annis observato. Missam contra in plurimis non tantum hoc fundamento carere Christi et apostolorum et primitivæ ecclesiæ, sed imo adversari prorsus atque ex diametro pugnare, undiquaque erroribus atque abusibus refertissimam. Quamvis autem a nonnullis imperitis et malevolis dicatur D. Petrus Martyr indoctus, si tamen nobis hanc libertatem det majestas reginea, ego cum Petro mar-

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[e] innocent and godly: C.E.M.F. H.S.

[f] his court: E.

[g] Parliament, is: C.E.M.H.S.

[h] confirmable: C.

[i] order that: E. that order: F.

[l] Saviour did: C. Sovereign Christ did both observe: M.

[m] did both observe and: C.E.F.H.S.

[n] commanded: C.M.

[o] observed, which: E.

[p] the apostles: C.

[q] and primitive church: C.E.M.H. F.S.

[r] mass not only hath any foundation: C.

[s] Christ, his Apostles: C.E.M.F. H.S.

[t] nor: E.M.F.H.S.

[u] but also is: C.E.H.S.

[x] manifest: H.S.

[y] containeth in it many horrible abuses: E.

[z] blasphemies: H.S.

[a] Whereabout though that many do maliciously report of Mr. Peter Martyr that he is a man of no learning, and therefore not to be credited; yet if: E.

[b] though: C.

[c] many either unlearned: C.F.H.S.

[d] and: M.

[e] maliciously: H.S.

[f] do: C.F.H.S.

[g] grant it: E.

[h] that said: C.

[i]saide Peter, [k]and other iiii. or .v. which [l]I shall [m]choose, by godes grace, woll take vppon us to [n]defende that not only [o]the commune praiers of the [p]church, the ministracion of the sacramentes, and other rites and ceremonies, but [q]also that all the doctrine and [r]religion [s]set out by our [t]late soueraign Lorde King Edwarde the vi.th is [u]more pure and according to godes woorde then any [x]other doctrine that hath ben vsed in Ingland [y]thiese thousand yeres, so that godes woorde may [z]be the judge. and that the [a]reasons and [b]prooves [c]on boeth parties may be set out in writing to [d]thintent [e]aswell that all the world [f]may examine and [g]judge therin, [h]as also that no man

tyre atque aliis quatuor aut quinque quos mihi delegero, favente Deo confido, nos idem omnibus approbaturos, non solum preces communes ecclesiasticas, administrationem sacram, cum cæteris ritibus et ceremoniis; verum doctrinam quoque universam, ac religionis ordinem constitutum a supremo nostro domino rege Edwardo sexto, puriora hæc esse et verbo Dei magis consentanea, quam quidquid mille retro annis in Anglia usurpatum novimus. Tantummodo judicentur omnia per verbum Dei, ac describantur partis utriusque argumenta, quo primum possit orbis universus ea examinare et judicare, deinde nequeat pars ulla dicta factave sic descripta inficiari. Quoniam

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[i] said Mr. Peter, and: C.E. said Mr. Peter Martyr, and: M.F.H.S.

[k] and 4 or 5: C.

[l] I will: E.

[m] choose, will by God's grace take: C.E.M.F.H.S.

[n] defend, not only: F.M.

[o] our: H.S.

[p] churches, ministration: H.S.

[q] also all: C.M.F.

[r] religion, by our: H.S.

[s] set forth: E.

[t] our said sovereign: C.S. our sovereign: E.F.M. our said late sovereign: H.

[u] to be more: M.F.

[x] other that hath: C.E.M.F. any that hath: H.S.

[y] this: M.

[z] be judge: F.

[a] reason: H.S.

[b] proofs of both the parties: C. proofs of both: F. proofs may be set out: H.S.

[c] upon: E.M.

[d] the intent that all: E.

[e] as well all: H.S.

[f] may judge therein, and that no man: E.

[g] judge thereon: C.M.F. judge them: H.S.

[h] as that: F.M.H.S.

shall start back from [i]his writings. And [k]where they boste of the [l]fayth [m]which hath ben in the church [n]theise [o]thousand yeres, we woll joine with theim in this [p]point. For that doctrine and usage is to be followed which was in the [q]churche xv. c. yeres past. And we shall proove that the [r]ordre of the churche set out at this present in this [s]realm by Act of Parlyament is the same that was [t]vsed in the churche xv. c. yeres past. And so shall they [u]never be able to proove [x]theirs.[y]

vero gloriantur illi et jactant ecclesiæ fidem quæ fuit 1500. abhinc annis, nos hac quoque in parte cum illis periclitari audebimus, quod eadem doctrina atque idem ordo ab omnibus servari debeat, qui fuit illo seculo ante annos 1500. ac præterea docebimus argumentis firmis, totam rationem cultus divini ecclesiastici, quæ nunc in hoc regno servatur, autoritate comitiorum eandem esse, atque illam ipsam quæ fuit ante annos 1500. id quod alii de suis nunquam probaverint.

FINIS.

Lecta publice in vico mercatorum ab amico qui clam autographum surripuerat 5. Septemb. anno Dom. 1553.

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[i] their writings: E. their writing. And what faith hath been in the Church these fifteen hundred years: H.S. his writing: M.F.

[k] whereas: C.

[l] faith of the Church in the olden time these xv hundred years: E.

[m] that: C.M.F.

[n] this: M.

[o] 1500: C.F.—M. et V. hundredth: M.

[p] point, that that: C.E. and that the same doctrine: F. and that the doctrine: M.H.S.

[q] church a M. and five hundreth years: M.

[r] order set out in this realm by our said lord King Edward the sixth by act: E.

[s] realm of England: H. church of England: S.

[t] used 1500: E.

[u] be never: C.M.F.

[x] theirs: omitted. C.

[y] At foot: Laus Deo. Imprinted 1557: H. Finis: E.

NUMBER LXXII.

[See p. 37 of this volume. The text is given according to the MS. at Emm. Coll. Cambr. Strype's variations, as also those in Foxe, and Letters of the Martyrs, are given as foot notes, marked by the letters S, F, and M.]

[MSS. Emm. Coll. Camb. Copy.] Foxe's Acts [and Monuments: pp. 1892, 3. Ed. Lond. 1583. Letters of the Martyrs. p. 23. Ed. 1564. Jenkyns's Cranmer. vol. i. p. 263. Works of abp. Cranmer, Park. Soc. ed. vol. i. p. 444.]

THE ARCHBISHOP TO M^{rs}. WILKINSON, PERSUADING HER TO FLY.[t]

Immanuel. Jesus Immanuel

M^{res} Jane Wilk: Tas Cranmer

The true comforter in all distresse is onlie god thorow his sonne Jesus Christ and who so ever hath hym, hath company [n]enough althoe he were in a wildernes all alone, and he that hath 20 thowsand in his companye, if god be [x]absent, he is in a miserable wildernes and desolacion. In hym is all comfort and without him is none. Wherfore I besech yow: seke your dwelling there, [y]as yow maye truleye and rightlye serve god, and dwell in him and have hym ever dwelling in yow. What can be so heavy a burden, as an vnquiet conscience, to be in such a place as a man can not be suffered to serve god in [z]Christe true religion? If [a]yow be loth to depart from yor kinne and frendes, remember that Christe calleth them his mother, [b]suster and brother, that doe his fathers will. Wher we finde therfore godd trulye honoured, according to his will, ther we can lacke neither frende nor kinne. If yow be loth to depart for [c]sclaundering of goddes worde, remember that Christ when his howre was not yet come, departed out of his countrey into Samaria, to avoyde the malice of the scribes and Pharisees, and commanded his Apostles, that if thei were pursued in one [d]place, then thei should flie [e]unto an other. And was not Paul lett down by a basket, out at a wyndoe, to avoyde the persecution of [f]Aretha? And what wisedome and policie he vsed from time to time, to escape the malice of his enemies the actes of the Apostells do declare. And after the same sorte did the other Apostles: albeit when it came to such a poynt, that thei could no longer escape dau'nger of the persecutours of goddes true Religion, then thei shewed them selves, that their flieng before came not of feare, but of godlye wisedome, to do more good and that they wold not rashlie without urgent necessitie, offer them selves to death, which had bene but a tentacion of god. Yett when they were apprehended, and could no longer avoyde, than thei stode boldlye to the profession of Christ, then thei shewed how litle thei passed of death, how much they feared god, more then men, how much they loved and preferred the eternall life to come, above this short and miserable life. Wherfore I exhorte you as well by Christes commaundement, as by the example of him and his apostles, to withdrawe your self from the malice of [g]yor and goddes enemyes, into some place wher god is most purelye served, which is [h]not sclaundering of the trueth, but a preservyng of your selfe to god and the trueth, and to the societie and comfort of Christes litle flocke. And that you will doe, doe it with spede, lest by yor owne folie you fall into the persecutors handes. And the Lorde sende his holie Spirite to leade and guyde yow where so ever yow goe. And all that be godlie will saye, Amen.

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[t] [This heading is Strype's: that which follows is in the Emanuel Coll. MS.]

[u] [enough, if he were: F.]

[x] [absent, is: S. F. M.]

[y] [whereas: S. F.]

[z] [Christs religion: S. F.]

[a] [ye: M.]

[b] [susters and brothers: S. F. M.]

[c] [slander: F. slandering Gods: S.]

[d] [place, they: S. M.]

[e] [to: S. F. M.]

[f] [Aretas: S. F.]

[i]T. Cranmer.

NUMBER LXXIII.

[See p. 44 of this volume. It is endorsed: "1553. the wordes that the Duke of Northumberland spake at his deathe." The variations in Strype are given as foot notes.]

[Cotton Library.] Titus B. 2. fol. 162. [British Museum.]

The wordes and sayngs of John Duke of Northumberland spoken bye hym unto the people at the towr hyll of London, on Tewysday in the fore noon being the 22d daye of Auguste ymmediatlye before his deathe as hereafter followethe.

Good people I am come hether for to dye this daye for the which all yow arre come hether to se And that althoughe this is most horryble and detestable yet justlye have I deserved the same for that I have bene most grievous synner unto Almyghty God and to all the hole world and to the quenes grace In asmoche as I dyd presume as of my selfe In the playne feld to bere armowre agaynst her Grace, wherfore I doe Acknowledge that I have offendid hyr lawes and that justlye she myght have put me to deathe wythowt anye Lawe, had she so pleasyd. But of hyr most clemencye hathe wayed my deathe by a law, which justley hath condempned me, but the more I truste for my salvacyon and the more better for me to consyder the greatnes of my synnes. And therfore the better for my salvacyon.

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[g] [yours: S. F.]

[h] [no: S. F. M.]

[i] [T.C..: M: no signature: S.F.]

And forasmoche as I ame permyttid to speake my conscyence this I do proteste before God the world, and al yow that this my deathe hath not been al to gether of myne own procuryng, But [l]have been incensyd by others whom I pray God to pardon for I wyll not name nor accuse anye man here And now I shall shew you how I have bene [m]of longe tyme ledde by false teachers and preachers sumwhat before the deathe of Kyng Henry and ever sence whyche is a greate parte of this my deathe Wherffore good people beware, and take hede that yow be not ledde and deceavyd by thes sedycyouse and lewde preachers that have openid the booke and knowe not how to shutt yt But retorne home agayne to your true Religion, and Catholyke fathe whyche hathe bene tawght yow of olde For sence the tyme that this new teachyng hathe come amongest us God hath gyven us over unto our selves and hathe plagued us sundry and many wayes with warres commocions tumults Rebellyon pestelence and famyne. Besydes manye more greate and grevous plagues To the greate decaye of our common welthe. Wherffor Good people be obedyent unto the quene her lawes and be content To receave agayne the true catholyke fathe from the wyche of long tyme yow have bene ledde from. Examples we have of Jermanye whyche in lyke maner beyng ledde And seduced how ar they now browght to Ruyn, as well yt ys known to thole worlde And also we ar tawght by owr creide in the

[l] [hath.]

[m] [of a long.]

latter parte of the same where yt ys sayd we beleve in the holye Gost the holye Catholyke faythe the Communyon of Saynts Thus yow maye see the Artycles of owr belefe dothe teache us the true faythe Catholyke This ys my verye faythe and belefe And theis wer in my harte as my Lord [n] Busshoppe can testefye neyther was I commandid thus to speake but even of myne owne free wyll &c.[o]

And then he went to his prayers, &c. and dyed.

NUMBER LXXIV.

[See p. 67 of this volume. The text is copied from the Letters of the Martyrs. The variations of Strype are given as foot notes.]

Archbishop Cranmer's Letter to the Queen, sueing for his pardon in the Lady Jane's business.

Letters of the Martyrs, [fol. 1. ed 1564. Jenkyns's Cranmer. vol. 1. p. 360. Works of abp. Cranmer. Park. Soc. Ed. vol. i. p. 442.]

Most lamentably mourning and moning himself vnto your highnes Thomas Cranmer, although vnworthy either to write or speake unto your highnes, yet hauing no person, that I know, to be mediatour for me, and knowing ȝour pitifull cares to heare al pitiful complaintes, and seing so many to haue felte your aboundant clemency in like case: am now constrained most lamentably, and with most penitent and sorrowfull heart, to aske mercy and pardon for my haynous folly and offence, in consenting and folowyng the Testament and last will of our late souveraigne Lord King Edward the syxt youre graces brother, which [q] will god knoweth I never liked, [r] nor neuer any thing greued me so much that your graces brother did, and if by any meanes it had bene in me to haue letted the makyng of that wil, I would haue done it, and what I said therin, as well to [s] his counsell, as to himselfe, diuers of your Maiesties counsell can report, but none so wel as the Marques of Northampton, and the Lord Darcy then Lord Chamberlayne to the Kynges

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[n] [after "Busshoppe," the words, "Hethe of Worcester" inserted, between brackets, by Strype.]

[o] [&c. omitted by Strype.]

[q] [wel God he knoweth.]

[r] [nor any.]

[s] [the councel.]

Majesty, which two were present at the communication betwene the Kynges Majestye and me. I desired to talke with the kings majesty alone, but I could not be suffered, and so I fayled of my purpose, for yf I might haue commoned with the king alone, and at good leasure, my trust was that I shuld haue altered hym from [t]that purpose, but they being present, my labour was in vayne. Then when I could not disswade him from the said wyll, and both he and his priuy counsell also enformed me that the Judges and his learned counsell sayde, that the act of entayling the crowne made by his Father, coulde not be prejudiciall to him, but that he being in possession of the crown, might make his wil therof, this seemed very straunge unto me, but being the sentence of the Judges and other his learned counsell in the lawes of this realme (as both he and his counsel informed me) me thoughte it became not me beyng vunlearned in the law, to stand against my prince therin, and so at length I was required by the kinges majesty him self to set to my hand to his wil saying that he trusted, that I alone would not be more repugnant to his wil than the rest of the counsel were (which words surely greued my harte very sore) and so I graunted him to subscribe his will, and to follow the same, whiche when I had set my hande vnto, I did it vnfainedly and without dissimulation. For the which I submit myselfe most humbly vnto your majestye acknowledging mine offence wyth most greuous and sorrowfull hart, and beseching your mercy and pardon, which my hart geueth me, shal not be denied unto me, being graunted before to so many which trauailed not so much to disswade both the king and his counsel, as I did. And where as it is contayned in two acts of parliament (as I vnderstand,) that I wyth the Duke of Northumberland should deuise and compasse the depriuation of your Majesty from your royal crowne, surely it is vntrue, for the Duke never opened his mouth to me, to moue me anye suche matter, nor his heart was not suche towardes me, seekyng long tyme my destruction, that he woulde [u]either truste me in suche a matter, or thinke that I would bee perswaded by him. It was other of the Counsel that moued me, and the Kynge himselfe, the Duke of Northumberland not beyng present. Neither before, neyther after, had I euer any priuy communication wyth the duke of that matter, savyng that openly at the counsel table, the duke said vnto me, that it became not me to say to the King, as I dyd, when I went about to disswade hym from [x]the sayd will.

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[t] [his]

[u] [ever]

Nowe as concernyng the estate of religion, as it is vsed in thys Realme of England at this presente, if it please youre highnesse to licence me, I woulde gladly write my minde vnto your maiestye. I will neuer, God willyng, be author of sedition, to moue subiectes from the obedience of their heades and rulers, which is an offence moste detestable. If I have vttered my mind to your Majestye, beyng a Christian Queene and Gouernour of this realme (of whom I am most assuredly perswaded that your gratious intent is, above al other [y]thinges, to prefer gods true word, his honour and glory) if I have uttered I say, my mynd unto your Maiestye, then I shall thynk my self discharged, for it [z]lyeth not in me, but in your Grace onelye, to see the reformation of thynges that be amysse. To private subiectes it appertaineth not to reforme thinges, but quietly to suffer that they cannot amend: yet neverthelesse to shew your maiesty my mind in thinges appertaining unto god, methink it my duety, knowyng that I do, and considering the place which in tymes pꝛst I have occupied: yet will I not presume thereunto wythout your graces pleasure first known, and your licence obtayned, wherof I most humbly prostrate to the ground, do beseche your Majesty, and I shall not cease daily to pray to almighty God for the good preservation of your maiesty from all enemies bodily and ghostly, and for the encrease of all goodnes heavenly and earthly, duryng my life, as I do and wil do, whatsoever [a]come of me.

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[x] [his]

[y] [regards]

[z] [lyes]

[a] [become]

NUMBER LXXV.

[See Page 82 of this volume.]

[b] CARDINAL POLE'S INSTRUCTIONS FOR HIS MESSENGER TO THE QUEEN.

Instructions for Mr. Thomas Goldwel.

Cotton Library, Titus B. 2. fol. 170. [British Museum. Original.]

Mr. Goldwel. After ye have made my moste humble salutation, wyth all dewe reverence to the Queenes Highnes on my behalff, and presented my lettres to the same, then pleasyng her grace to here yowr commyssion gyven by me, and to understond the cause why I doe send yow to her, ye may expounde the same in that fourme that foloweth.

171 Furst of all seeyng that the hole cawse of my sendying yow to her Highnes at this tyme is grownded upon the requeste that her grace maketh unto me in her lettres sent me thise dayes past from the Emperours coorte dated in London the xxviij off Octobre, in the Latten tonge, Wherunto her grace doyth demaunde answer off me in twoo poyncts. One is, touching the difficultye she feareth by sygnes, she seeyth all redye touching the renouncyng of the tytle off the Supremacye of the Churche in her realme, when it shall be put furth in the parlament which sygnes be that wheras her Maiestie alreadye hath cawsed to be putt furth to the Parlament the abolysheng off those lawes, whiche concerned the annullation of the legitimate matrimonye off the graciouse ladyee the Qwene mother to her grace, the same passing the Upper howse, and putt furth to the lower, albeit in the effect they wold nott refuse to agree to all that myght make to the stablesheng off the ryght off her Grace to the Crowne yett thei dyd nott gladlye heare off the abolysheng, specyally off that lawe that gave the tytle off the Supremacye of the church in the realme to the crowne, suspectyng that to be

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[b] [Endorsed, "Your instructions," in the handwriting of the document. Strype's endorsement is, "From Cardinal Pool. Instructions for Mr. Goldwell."]

an introduction off the Popes authorytie in to the Realme, which thei can nott gladlye here off. And for this cawse can not gladlye heare of my legation in the Popes name. Whereapon her grace in the same lettres doyth exhort me to staye my voyage untyll a more opportune tyme, And asketh my cownsell, in case the lower howse make resistence in the renounceng of the tytle off supremacye, what her grace were best to do, and what waye she had best to take. One other poynct is, that her grace desyereth in the same lettre to be certyfyed by me, how it cam to pass, that a Commyssion geven by her to Mr. Fraunceseo Commendone in secreat, was publyshed in the consistorye, as her graces embassadour, resydent in Vennyce doth certyfye her.

Thise be the twoo poyncts wherein her grace reqwyreth my answere. And for to obey her demaunde which to me ys a Commaundemente, I do send yow nott onlye to present my lettres, but also my mouthe, and wyth thise present instructions for more satysfaction of her grace in all poyncts.

As towcheng the furst poynct, which is of most weyght and so greate, toucheng the honor and wealth of her grace both spirituall and temporall, as none can be more, ye maye shewe her grace, that my furst advyse and counsell shall be, to obteyne of God by prayer that which I praye him to gyve me wryteng this, which is, to have *spiritum consilii et fortitudinis*. And this her grace must nowe praye for, that as in the attaynenge the crowne his hygh providence shewed by manyfest tokens to have geven her thise twoo graces, so in the mayntayneng thereof he wyll confyrme thise twoo gyftes in her mynde. Her Highnes knoweth yf she had relented att that tyme for any peryll, when that bothe mannes counsell and force were against her, she had loste, so yf she for onye feare do relent and do nott renownce that title of Supremytie, which toke the name of pryncesse and right heyr from her, she can nott mayntayne that she hath gotten al redye by the spirite off Counsell and fortitude.
So that my furst counsell ys this, that obteyneng by prayer thise twoo gyftes, which her Grace had att that tyme, to show her

selfe no lesse ardent in the leaveng of the tytle of supremytie for to maynteyn her ryght, then the Kyng her father was in the 172 acqwysition therof to the pryvation of her ryght, whiche so moch more she ought to do, and be more fervent in this then her Father was in that, bycawse that was done agaynst all lawe both of god and man, and this that her majestye doyth now, showeng her selfe moste fervent herein doyth fulfyll both Goddes lawe and mannes, and thatt is her verye dewtye, yf she shuld lose bothe state and lyfe wythall, as she hath knowne she ought to do by the example of the best men of her realme, which for this cawse, resysteng the Kynges unlawfull lawes lost both.

And, nowe the goodnes of God putteng no such hard conditions to her grace, nor layeng afore her yies onlye *prœmia futura*, wyth losse of temporall, as he dyd to those men, but *prœmia cœlestia* with *terrena* joyned togyther, that servyng to the honour of God, which is in this poyncte to rendre the tytle of supremacye of the churche in earthe to whom God hath geven ytt, she doyth stablesh her owne crowne wythal. Yf now she shuld relent herein for enye feare off [c] man, beyng brought to that state that other men shuld rather feare her then she them, specyallye in so good a cause, this afore God and men were moste perpetuallye to be blamed. Wherefore whatt my counsell ys herein on this maner now rehearsed, ye may enforme her Highnes.

Nowe to com to the execution of the thing, after her grace is determened to have hit done, casteng awaye all feare, the same stondeth to have hytt putt furth, and cawseng ytt to passe by the Parliament, This is an nother cownsell necessarelye to be pondered, consysteng the hole after my opinion in the proponement of the parson that hath to putt furthe the same, that wyth lesse dyfficultye, and more favour ytt may passe.

Here ye maye saye, that I moche pondereng the same, and consydereng that it must be a personne of authorytie, that shuld propone the same, yf it shuld take effect; When I looke in my mynde apon all them, I know off the lordes both spirituall and temporall, and personnes of the lower howse that myght have authorytie to do the same, I do see none, butt other he hathe defended the contrarye cawse by his sentence and wrytinge, as the spirituall men have done, which taketh awaye a great part of authority to perswade other, when men heareth them accepteng that mattier that afore tyme thei have oppugned: or else to speake off the temporall lordes or other, beyng all entangled wyth pryvate proffet, enioyeng gooddes of the church by reiecteng the authorytie off the same, thei can nott speake with thatt freenesse off spirite as suche a matter reqwyreth. Wherfore ye maye conclude wyth her grace myn opinion herein, that after long consyderation hereoff, I see no parson but oone that ys able wyth authorytie and all favour to propoune this matter, and that parson ys her grace herselfe, God haveng brought hytt to hyr hande alone, she beyng in this matter and all other immaculate, and wythout blott, ordred off God to defende hys cause and her owne wythall.

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[c] [men: Strype.]

And this, ye maye saye, the Cownsell that ytt pleased God to putt in my mynde is, thatt her grace do in this case, as I remember the Emperour dyd in his owne cawse passyng by Rome, where as his mynde was to iustyfye his qwarell touching the warre betwyxt him and the Freanche Kyng afore the Pope and the Cardynalls, when doubteng yf onye other person shuld propose the same it myght have contradiction off that partie that dyd favour Fraunce, he determened wythout ony conferencye either wyth his Cownsell or other, to putt furth the 173
matter him selffe. And so when nother the Pope nor no other loked for eny such thing, his Holynesse and the Cardynalls beyng now congregate, he entered in amongst them in the consystorye, and made a long oration in iustyfyeng his cawse, and obtayned thatt he wold wythout ony resystence.

Underneth this maner my poor advyse shuld be, that her maiestye shuld personallye com in to the parlament, and putt furthe the same her selffe. And I dare be bolde to saye, what for her authorytie, and the iustenes, and the equytie of the cawse hytt selfe, she shall have no contradiction: and yf nede were also to shewe her selffe to the lower howse, the thing hytt self so neer toucheth her wealth both godlye and temporallye, that ytt shuld be taken rather *cum applausu* then otherwyse.

Further, and joynctlye wyth this hytt shall be necessarye her highnes make mencyon of the Popes legate in my parson to be admytted, and sent for, wherein her grace hath this furst to entreate, thatt the lawe of my bannyshment may be abolyshed, and I restored to name and bloode.

And herein her grace doith know whatt extreame iniustyce hath bene done to me, and all our howse. And touching my parson, what was ever done that could be layde agaynst me, whye I shuld be bannyshed, which never thought nor dyd in that cawse I was bannyshed for butt thatt wherebye I deserved rather greate rewarde then enye payne, beyng so geven wyth hart and mynd to the Kyngs honour and wealth both off hym and the realme, that wyth no reward, which was offered me greate, the Kyng him selffe could not persuade me to do or sentence ony thing agaynst his honour and the wealth off the realme, and to his dampnation. Here is all the cawse why I suffred bannyshment with so great losse off those kynnesfolk that were derer to me then my lyffe. And this beyng done by the consent off the parliament, though, I doubt nott, agaynst their mynde, the Parlament ys bound afore God and man, to revoke me again, and specyallye now comyng wyth that Commyssion, that bryngeth the stableshement off your graces crowne to the comforth off the hole realme both temporallye and spirytuallye.

And this her grace may boldelye saye, off all the tyme off my exile wherein God hath gyven me honor more then I dyd requyre, or wold have had if it had layne in myn owne choyse and gooddes suffycyent to mayntayne my state, yff ever ytt be founde that for eny respect of person for ambytion, pleasure or lucre I swarved from that I judged the honor of God, and, in matters off my contree from the wealth theroff; I am content not onlye nott to be accepted at this tyme, butt perpetuallye to be bannyshed. But yff they prove all the contrarye, and that wyth the Kyng your Father, nott onlye as a faithfull subiect, butt wyth that love also that no servant could shewe to his master more, nor sonne to his father, I shewed ever to exteame more his honor and wealthe, then myn owne gooddes or contreye, and never [d]procured other then the wealthe off the same, then lett them beleave now, that I never wold come unto them after so manye yeares absence, your grace bearyng the crowne, wyth other commyssion then that I know surelye shuld be to the honour, comforth, and wealth of your grace and the hole Contreye.

And so touching this poynct of my counsell that her grace requyreth of me, here ye have explicated how the hole matter wherein my counsell is requyred may be concluded. For otherwyes at this time I see nott what myght be taken, nor can imagyne no other so good as this waye whiche me seam- 174
ythe God hath ordered shuld be taken and preferred above all other.

After this ye shall showe her grace, yf this waye be nott followed or dysferred, what I most feare. And this ys furst, that the popes holynes beyng all redye perswaded to graunte to [e]the staye of my iorneye contrarye to his furst comyshion, when her grace showed more fervenceye to receyve the obedience off the churche, that the next comyshion I shall have, shall be to retourne backe in to Italye agayn.

And the cawse whye I feare this, ys, that the Pope shall thinke by offreng to her grace and the realme, all those graces, that do parteyne to the reconcyliation off both to the church, when he seeyth it ys nott accepted wyth thatt promptnes it is offred, he shall think that bothe afore God and man he hathe satysfyed all that coulde be reqwyred off him, touchyng the demonstration of his paternall affection to her grace and the realme, in the whiche the College off Cardinalls peradventure wyll iudge, that his Sanctytie hath bene overmoche bountefull, specyallye when they heare off this my stayeng, beyng made wythout their consent, which thei wyll ever take for a greate indignytie, hearyng no gretter, nor more urgent cawse theroff then hytherto hath bene showed, and knoweng how her grace can not maynteyne her ryght nother afore God nor man wythout haveing recourse to his holynes, and to the See Apostolyk, off whose Authorytie and Dyspensation the hole ryght of her cawse doyth depende, as som of them then wold have had his holines at the begynnyng not to have sent his legate untyll he had bene reqwyred, so moche more now, after he hath [f] send, and he nott accepted, thei wyll all be off opinion, that he shall be revoked and then what peryll both her grace and the hole realme stondeth in, by the reason of the Schisme yett remayneng, it is manyfest of ytt selfe.

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[d] [“proved” crossed out: and “procured” substituted in the MS.]

[e] [“my” crossed out: and “the” substituted in the MS.]

And yet this is nott al my feare of my revocation, but that which may follow, that I feare more, which is this, that where as now, yff I had bene accepted wyth that promptnes and syncere affect as I was sent of the popes holynes, and that I brought wyth me, my parson I trust shuld have brought more comfort to her Highnes, and the rest of the contreye, then ony straunger, as the popes holynes thought when he made me legate, so nowe on the contrarye for the selfe same circumstantyes and cawses that parteyne to my personne nott beyng accepted, it shall more aggravate the cawse att all tymes that the realme hereafter shuld require to be absolved off the Schisme, and all other that wold seke to prevayle against her graces tytle, by the reason off the Schisme, for the selff cawse that I was nott accepted, retourneng again to Rome, wyll take this for a great proffe of the obstynat endurenge in the same, which all dyvyne lawes doyth most condempn; so that my parson, I desyreng nothing more then to bryng comfort to her and the realm, nott accepted, shall be cawse of more discomfort, which as I saye, God of his marcye forbed.

Expounded under this maner my feare, which stondeth in my revocation, nott for my selff, but for the domage that may com to her Maiestye and the realme therbye, the same beyng verye lykelye yff my staye be dyfferred ony longer space, knoweng that his holynes and the colledge wyll nott suffer suche indignytie, then yow may declare wythall, the remedyes, that I thought best to be used at this tyme to avoyde this inconvenyencye.

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[f] [sic: sentt, Strype.]

And herein yow may show how the furst remedie is, that 175 the pope and the colledge of Cardinals be wel perswaded that my staye [g] here is but for a smale tyme, and for to bryng a more suer conclusyon and mak the waye more playn, as I have cawsed the popes holines to be enfourmed by a servant of myn sent by poste to Rome, showeng the tenour of the byll her Grace wrote by Herrye my servaunt wherin was conteyned that her Highnes shortlye trusted that the matters of the parlament shuld have that conclusyon that I most desyered. And apon this hope that messenger had to showe his holynes that I had sent my stuffe afore towards Flaunders, and now also for confyrmation of thatt hope I have sent a parte of my companye afore to tarrye me there. So that this yow may saye ys the furst remedye I can fynd to kepe the pope and the collegde in hope of a brave and good resolution.

One other chyfe remedye is, becawse I perceive the Emperours Maties Counsell hath ever bene, that her grace in matters of religion and in the renounceng the title of the Supremacye shuld procede wyth gratt moderation, and nott to be hastye therein, untyll other matters temporall were better settled; for this cawse, besyde that what I could do by [h] lettres, if it were possyble, as moche as was in me, to remove his Matie from the opinion, that dilation in this matter shuld be profytable to her Highnes, or the realm, as she may perceve by the copie of my letters, wrytten to the emperour, [i] sent by Herrye Pyninge, I have lykewise [k] persuaded hys Maties Confessour, whome I founde here a man of greate sanctytie and learneng, that for the love he bearith towards his Ma^{tie} touching his sowle wealth, and honor off the worlde besyde, and affection to her grace, that he wold personallye repair him self to his Majesty, and by al means possible attempt to remove this worldlye feare, and herein I have gyven him instructions, wheroff yow have the copie with yow, that yowe [l] may show the same to her highnes.

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[g] ["is" crossed out.]

[h] ["my" crossed out.]

[i] ["sent" interlined.]

[k] ["persuaded" interlined.]

The thurd remedye is, that which I attempt now by sendeng yow to her Ma^{tie}, that she maye be well enfourmed of the peryll which in myn opinion is now more greate, then when the duke of Northumberlonde dyd sett agaynst her, and the same must be overcom wyth that meanes that her grace then had the victorye, which was by putteng her hope and trust holye in God, and in the iustyce of her cawse, casteng awaye all feare worldelye, whiche doyng, her highnes may be suer her cawse perteyning to the honor off God and wealth of his church, for the whiche his sonne dyed for, thatt ys Lord off all, she shall fynde leste difficultye, and moche redyer healpe, then she can now imagyne.

And this now shall be suffycyent yow enfourme her grace touching the mattier wherein it hath pleased her to ask my advyse and counsell.

Touching the other matter wherein her highnes semyth to be offended for the relation made openlye in the consystory bye M^{r} Francesco Comendone, off those things, which her Ma^{tie} had told hym in secrete, off this yow may say, her grace beyng enfourmed off the treuthe, hath more cawse, to accept that which was done moste gratefully, then in onye part to be offended therewyth. And the truthe is this, he dyd nott open onye thinge that was tolde him in secrete, nor dyd nott make [m] his relation as I thought my self he had done at the begynnyng, as off things hard of her graces mouthe, butt that he had harde off other catholyke and devoute personnes, that knew her
176 Graces mynde, which was in generall off the devoute mynde that her Ma^{tie} bore to God and the church, and off that parti-

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[l "may show" interlined.]

[m] ["his" interlined.]

culer poynct that she wolde have had showed onlye the Popes holynes nothing was spoken and al this was done to confyrme the Cardynalles myndes touching the approbation of that the pope had done in makeng so soddenlye his legate afore eny information was gyven what mynde her grace bore to the obedience of the churche, which som dyd nott approve at the furste, and after this relation made by Mr. Francesco that had bene in Englande, all were well satisfyed, so that all tourned to the honor of her Maiestie, and to corroborate all that was done to her servyce. And that she maye the surelyer be advertysed how all things passed in this matter, I have caused to be copied one part off a letter which the Popes holynes wrote unto me apon this acte; and the same yow maye show unto her Grace.

And becawse I do know what greate servyce it myght be to her grace to be trewlye enfourmed in all partes that parteynith to the retourne off trewe obedyence to the church, both touching the tyme and maner and the conseqwence thereoff, and to discerne the craftes and wyles that the enemye of mankynd ever useth to make it seame trewe obedience, when it is nott, whereapon dependeth the hole grounde off the mayntenaunce of the state that God hath gyven her Grace, and how few there be in the realme, al beyng maculate therein, that can or wyll endevour them selffe to explicate the peryll and showe the remedye; Therfore consydereng that I in person can nott come so sone to gyve her Highnes enformation as I know the necessytie of the matters to be concluded doith reqwyre, yow may show her Maiestye thatt amongst those gentlemen off my companye, whome I have sent afore to Flaunders, there to remayne, there be twoo, of whome if it wyll please the same to take enformation off, and as her grace fyndeth itt to the honour of God and wealth off the realme in this furst settleng of the obedyence of the churche, so to execute the same, I wold think that her grace shuld be well satisfyed, and satysfye all good men wythall, thise being men of that qwalytiees, that ye know, which have godlye prudence and humaine, ioyned bothe to gyther, off the which, one I knowe by long experience, that hath bene manye yeares so conversaunt wyth me as no man more famyliar, off whome I have ever judged my selff to have that treasour that fewe greate Pryncys hath the lyke, and off the other to have as great pleasure [n] for the tyme he is content to serve me, but whether her hyghnes wyll serve her selffe to be enfourmed off them in this furst settelleng off her state, this ys in her graces pleasur.

This onlye I wold desyer her Maiestie, wylleng the same if they shold com, that they myght com to be knowen to come from me, for the cawses that I have showed yowe.

[*Here the above paper ends.*]

[o] Further, your Commission shalbe to expounde to her Highnes my hole mynde and sentence towching the demande hitt pleased her grace to make in her gratiouse Letters dated the xxviij of Januarye concerninge those personnes whom for the good opinion her Grace had of theyr Vertue Lerning and Catholyke good mynde she intended to make Bishopes how that they may be provided fore withowte derogation to the authoritie of the See Apostolique, her Grace nott intending further to extend the powere of the crowne regall, then hit was custumable in use afore the Scisme enteryd. In this poynte wherein
177 her grace demaundeth myn answere, yow shall make the same conformable to that whiche by long and often conference with me, ye knowe to be myn utter sentence: wherein ye nede nott to have any further explication by wrytinge.

Beside this towching the ii actes of parlament oon of the legitimation of the matrimonye betwene the most graciouse Quene her Mother and the King her father, the other of the sacramentes to be used under the maner, that they were [p] used the laste year of King Henry the VIIIth her graces father whiche both it pleased her Matye of her goodnes to send unto me for my satisfaction of mynde, to knowe how they were passed by consent of the Parlament, yow may shewe her Grace that these too perfectely inacted and concluded, be those in treuthe, that of al actes that could be made to my comforte, none could bring me more satisfaction. Whereof the onlye cause ys that I know nothing can passe by the parlament more to the stablisshment of her Hieghnes State both afore God and man then the sure stablishinge of these too. and for this cause, whatt so ever lacketh to the stablishing therof, me seemeth, I am bounde to utter plainly to her grace and trewlye to say whatt doth nott satisfye me in those actes, my hole satisfaction dependinge of the fruite, that may redounde to her grace and the realme, when they shalbe perfectlye concluded.

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[n] ["that" crossed out.]

[o] [What follows is misplaced in the MS. volume; it is there folio 166. endorsed by Strype "Maria Regina Card. Polo." It is less carefully written than the former.]

[p] ["used" inserted in margin.]

And therfore herein yow shall nott lett passe to enforme her Grace pleasing the same to give yow benign audience, as wel wherein they were nott to my utter satisfaction, as also wherein they satisfyed me, and brought me [q]some comfort. And first of all how the former Acte of the ratifyeng the matrimonye seemed unto me myche defectuous in that the Parlament taking for cheffe grounde the wisdome and goodnes of the Parentes of both partyes in makinge the Matrimonye doth nott folowe that wisedome in the conclusion and stablishing of the same.

Theyre wisedome in making hitt was that they thought nott sufficient to conclude the Matrimonye notwithstanding the consent of the partyes onlesse by the Popes dispensation and authorite of the See Apostolique the impedimentes of conjunction named in the lawes of the Churche were taken away, and hitt so made legitimate.

And hereof the Acte of the Parlament, that wold iustifye the same with derogation of an other Acte made to the condempnacion of that matrimonye maketh no mention. Which me seameth as great a defecte, as yf oon shulde take a cause to defende whiche hathe diverse causes al concurrent to oon offecte, whereof the oon dependeth apon the other, and oon beyng principall above all the other, and wolde in the defense thereof name the other causes, and leave owte the principall: for so yt ys in the cause of the Matrimonye. The consent of the partyes and parentes depended apon the dispensation of the churche and the See of Rome withowte the whiche the wisedome of the parentes dyd nott thincke hitt coulde be well iustified as the effecte dyd showe in demaundinge the same. And this ys that whiche nowe ys lefte owte in the justification, that the Parlament hath made, alleaging onlye the wisedome of the two Parents the Kings of Inglande and of Spayne.

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[q] [“some” interlined.]

And yf it be here sayd, as I understonde some do say, that the dispensation was asked of those princes nott because it was so necessary that the mariage coulde nott be iustifyed withowte that, butt as they say ad majorem cautelam, how this answere can nott stande to that effecte, I have so sufficientlye informed 178 yow that yow of your selfe I dowbte nott withowte further declaration by wrytinge can expounde the same. Therfore leaving that to your memorye and capacite to flye multiplication of wrytinge, this only I wyll putt yow in remembrance of, that yf the dispensation of the Pope in that mater was asked of those ii Princes ad majorem cautelam, which was to stoppe all menes mowthes making pretense of iustice that might have bin brought fourthe or objected againste that matrimonye unlesse thys dispensation had bin obteyned: At the least for this cause in this Acte shulde also have bin made mention of the dispensation, folowing the wisdome of those princes ad maiorem cautelam, beynge now more feare of pretensed justice against that matrimonye as the effecte hath and doth shewe, then ever coulde be imagined by the wytte of those Princes, when they obteyned fyrste the dispensation.

As towchinge thother acte of the confirmation of the sacramentes, ye shall showe also wherein hit seamith to me defectyve, whiche ys that whereas the grounde of the makinge therof as the acte doyth expresse, ys taken for to redresse the temerytye of them whiche being affected to the nueltye of opinions, dyd other take them awaye, or abuse the administration of them against the auncient and laudable custome of the Catholique churche.

This beinge a verey necessarye and piouse cause to make that acte, in the prosecuting and concluding of the same I fynde this greate defecte, that never being approbate by the churche that those persones which remayne in scisma, shuld have the right use of the sacramentes, butt rather to suche ye interdicte the use of them. This Acte maketh the gate open to them that be nott yett enteryd into the Unite of the churche to the use of the Sacramentes, declaring hytt selfe howe they shulde be ministered with relation to that tyme and yeare of that King, and namyng him that ys knowen to be cheffe author of the scisme. Whatt defect this is it seemeth manifest of yt selfe.

This shewed wherein both these actes were defectuouse and therebye nott bringing me full comforte, ye shall then expounde wherin at the readinge of them I toke [r]some comforte, which was that the conclusion of both was passed graunted and inacted by the Parlament: so that towching the effecte there coulde be no difficultye hereafter [s]in the Parlament, the [t]same beinge now bounde to the approvinge and observancie of theyr owne acte. And wherein they were defectuese, this owght to be supplyed by the princes authoritie, that ys to saye by her graces authoryte as right Quene. To whom it apperteyneth, as cheffe head of the parlament and of the hole realme withall, in all actes that the parlament dothe determe, both to interpreate that that ys obscure and to supplye and make perfecte that which ys defectuouse as well in the tyme of the parlament, as when yt ys dissolved. So that now these both actes being passed by the parlament, they are brought to her graces hand to interpreate and supplye, as yt shall be judged by her graces wisdome howe they may beste take effect and to do the same other owte of the tyme of parlament, or in an other parlament, byndinge them by theyre owne decree ratefyeing the mariage, and the use of the sacramentes accordinge to the forme of the catholike churche, to admitt the authoritie of the See of Rome whiche nott admitted nother thone Acte nor thother can take effect and admittinge and stablishing of the same both those actes, by this oon, (wherin ys comprised the reduction of the realme, to the unite of the churche) shalbe stablished and made perfecte.

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[r] ["some" interlined.]

[s] ["in" interlined.]

[t] ["the same" interlined.]

179 For conclusion of al this ye shall informe her grace, that as I consider dayly the wonderfull goodnes of God to her Hieghnes with all paternall cure of her sowle parson and state, and his all so manifest protection everye waye and by so meny wayes calling her grace to stablishe this unite of the churche in the realme, whereof the breakinge hath bin cause of so great miserye in the realme both spirituall and temporall with travayle temporall of her Majestye and utter jeopardye of losying her State.

So also I do consider whatt ways the enymye of man kynde Satan qui expetivit cribrare ecclesiam tanquam triticum hath used and continuallye useth to lett that her grace can nott putt in execution that wherunto God continuallye doth call her. I dare be bold to say in this particular cause, that that the Apostle sayth generally speakinge of Sathanas malice, non ignoramus cogitationes ejus.

And so herein I do se how by all meanes he dothe tempte to make her grace fall from that simplicite quæ est in Christo Jhesu, the whiche God hath ever hytherto mainteyned in her. And this I havinge noted of the especiall goodnes of God toward her, how all the rest fallinge from the unite of the church at the tyme of her fathers reygne when she was in most trowble and travayle, yett her hieghnes never committed eny thing that was preiudice to the same, beinge protected of god in that simplicite, and bringeng that mynde with her to the crowne, Sathan knowinge that by open temptinge her to do against that, by the way of commission he shuld nott prevayle, he dothe attempte to make her to fall by this other way of omission, wherbye his malice trusteth, that commission shall folowe. Against the whiche albeit my verey truste ys, the prayere of the churche at this tyme for her grace shall defend her, yet untyll I se by her graces goodnes so necessarye and godlye acte of the reduction of the realme to the perfecte obedience of the churche concluded I can nott be without some feare, and therfore be more sollicitouse in advertiseing her Ma^{tye} of the greate peryll, whereof fewe or none do or wyll speake unto her: And nott onlye to advertise her grace, butt withall to shewe the reamedye, wherof yow being sufficientlye informed, this shall be the ende of my commission by wrytinge, prayeng Almightye God to inspire her hieghnes to accepte your sayings on my behalfe, as he hath inspired me with all sincere affection by suche meanes to utter the same.

[u]For the conclusyon of all thatt ys comprysed in your instruction, as that the whiche conteyneth the hole somme of my poore advise and counsell it pleasyth her grace to aske of me, yow shall saye, that my moste humble desyer is that in all deliberation her grace shall make toucheing the mayntenaunce of her state, the same wyll euer well pondre and consydre what the providence of God hath showed therein, above that which hath bene showed in her predecessours kyngs of the realme in this one poynct, whiche is to have the crowne not onle as a kyngs dowghter and heyr, but hath ordered that this poyncte off ryght inherytaunce shall depend, as it doyth, of the authoritie he hath geven to his churche, and off the See of Rome, whiche is the See Apostolyk approveng her mother to be legittimate wyffe off Kyng Henrye the Eyght, wherebye she is bounde both afore god and man as she wyll showe her selffe the very doughther off the sayde Hyng Henrye the Eyght ryght heyr off the crowne, so also to showe her selffe ryght doughtier off the church and of them that be resyde ... [in] the[x] See Apostolyke, who be the ryght heirs to Peter, to whome and hys successours Christe chiefe hedd of the Church in heven and

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[u] [The remainder of this document was first printed in the Oxford Edition of 1812, from the collation of sir Henry Ellis. It is in the Cotton MSS. Titus B. 2. fol. 164; in the same handwriting as the former, though separated from it. It is indorsed in the same hand as the former; "The conclusion breff." A fresh collation has been made for this Edition.]

[x] ["the See" interlined.]

in earthe hath gyven in earth to bere hys place, toucheng the rule off the same churche, and to have the crowne thereoff. Which well consydered and pondered her grace shall sone see how in her person the prouydence of God hath ioyned the ryght she hath by her father in the realme, wyth the ryght of the church, thatt she can nott prevayle by the one, excepte she ioyne the other wythall, and they thatt wyll seperate thise twoo, take away not onlye halfe her ryght, but her hole ryght, beyng not so moch heyr because she ys kyng Henryes onlye doughtier wythout yssue male, as she ys his lawefull doughtier, which she hath by the authorytie off the churche.

Which thing prudentlye and godlye considred she can nott but see what faithfull counsell this is, that above all acts that in this parlament shall be made, doth aduertyse her grace, to establesh that the wych parteyneth to the establesheng off the authoritie off the churche and the See of the same, wyth rendreng to hym that is ryght successour to Peter therein his ryght tytle off hedde in the church in yearthe, wythout the which she can nott be ryght hedde in the realme, And this estableshed, all controuersye is taken awaye, and who wyll repyne vnto this, he doth repine to her ryght off the crowne.

Wherefore this is my furst aduyse, that this poyncte above all other shuld be entreated and enacted in the parlament, And so I knowe her graces full mynd was and is that it shuld be, but she fearith difficultyes, and hearapon dependeth that her grace asketh my poore aduyse how this difficultyes may be taken away.

Vnto this yow may saye, that they muste be taken away by the healpe off him that by his highe provydence above mannes expectation hath gyven her all redye the crowne, which wyll have as well this second act knowen of the mayntenaunce thereof to depend off him, as the furst in atteyneng therto. And to have his healpe the meane is, by humble prayer, wherein I wold advertyse her highnes not onlye to gyve her selff to prayer, but also by almes to the nede excitate the myndes off other to prayer, these be the meanes off moste effycacye, and wyth this to take that ardent mynde to stableshe the authoritie off the Church casteng away all feare off man, that she toke to have her crowne, and not so moche for her owne sake as for the honour off god, which gave her the crowne, And yf ony dyfficultye shuld be feared in the parlament herein, leve the honor to take away the difficultie thereoff to none other, but assume that parson to her selffe, as most bound therevnto, and to propone yt her selffe, which I wold trust to be off that effycacye that yff inwardlye ony man wyll repugne, outwardlye the reasons be so evydent for this part that ioyned wyth the authoritie off her parson beyng proponent, none wyll be so hardye, temerarious, nor impious, that wyll resyste.

And if in this deliberation it shuld seme straunge to put furth thise matters in the parlement, as I have sayd in the instructions wythout comunicateng the same wyth ony off her cownsell, I wold thinke ytt well her grace myght conferre it wyth twayne off the chefest that be counted off the people moste nere her fauour, one spirituall and an nother temporall, wyth declareng to them, furst how touching her conscyence afore god, and her ryght afore the world she can neuer be qwyett vn tyll this matter be stableshed touching the authorytie of the churche, reqwyreng their vttermost healpe in that as if she shuld fyght for the crowne, her majestye may be suer the putteng the same furth wyth that erneste maner, they wyll not lacke to serve her, and thei may serve greatlye in the parlament after her grace hath spoken, to prosecute [y]and iustyfye the same wyth efficacye off wordes to gyve all other example to follow, her grace leaveng this part vnto them, that if the name off obedyence to the Pope shuld seme to bryng as it were a yoke to the realme or ony other kynde to seruytute, besyde that [z]it shuld be profytable to the realme both afore god and man, that her grace that bryngeth it in again wyll neuer suffir it, nor the Pope himselfe reqwyreth no such thing, and herein also yf they saye that my person beyng the meane to bryng it in wold neuer agree to be an instrument thereoff, if I thought ony thraldome shuld com therbye, thei shall neuer be deceyued off me. And yff thei wold say besyde I wold neuer haue taken this enterpryce apon me except I thought by the same to bryng greate comfert to the countreye, wherein the popes authorytie

[y] [" and iustifye" interlined.]

[z] [" it" interlined.]

beyng accepted I wold trust shuld be so used that it myght be an example off comfort not onlye to that countreye butt to all other that hath reiected it afore and for that cawse hath bene euer syneth in great myserye. This is the somme off all my poore aduyse at this tyme, in this case, whereoff I besech almyghtie God so moche may take effect as shall be to his honour, and welth to her grace, and the hole realme besyde.

Amen.

NUMBER LXXV†.

[See p. 88 of this volume. The variations in Strype follow.]

THE FORM OF THE RESTITUTION OF A MARRIED PRIEST.

Restitutio Ro. Vevian.

Regist. Eccles. Christ. Cant. [m. 14. fol. 166. 6.]

DECIMO OCTAVO DIE mensis Octobr. Anno Dom. 1554 in Ædibus Solitæ Residentiæ Magistri Anthonii Huse, Armigeri, in Occidentali Angulo Vici nuncupati Pater Noster Row, Civitatis London. notoriè Situatis, Coram venerabili viro Magistro Henrico Harvy, Legum Doctore, Vicario in Spiritualibus Generali[a], Decani et Capituli Ecclesiæ Cathedralis et Metropoliticæ Christi Cantuariensis, custodum Spiritualitatis sede Archiep. Cantuar. jam vacante, in præsentia mei Joannis Incent, Notarii publici propter absentiam Magistri Anthonii Huse, Registrarii, &c. assumpti, &c. comparuit personaliter Robertus Vevian Presbyter. nuper Rector Eccleſsiæ parochialis de He-
180 ver, Decanat. de Shoreham, Ecclesiæ Christi Cantuariensis, jurisdictionis immediatæ, ac quandam professionem in Scriptis redactam et conceptam fecit, et publice legebat, sub eo qui sequitur Verborum tenore.

WHEREAS I Robert Vevian, Clerke, late Parson of Hever in the Countie of Kent, being of the peculier jurisdiction of the Church of Canturbery, being orderid a Prest abowt xxvij. yeres past, having ministrid as a Prest in all kind of Prestly function and ministration of sacraments [b]and sacramentals, as to the office of a Prest [c]appertayneth: I have sithins that tyme, contrary to the State of myne Orders, Decrees of the Church, and laudable customes of the same, maried one Agnes Staunton, being a single or solute Woman, and with her in one Howse, as man and wief, have cohabited and dwellid, to the offence of my Christen brethren, and breche of the Unitie of Christes said Church: I the said Robert do nowe lament and bewaile my lief past, and thoffence by me committid intendinge firmely by Godds grace hearafter to leade a pure, chaste, and continent lief, according to suche grace as Almightie God of his mercy, upon my humble petition and prayer, shall graunte me: and do here before you, my competente Judge and Ordinary, most humbly require absolution of all and from all such censures and pains of the Lawes, as by my said offence, and ungodly behaviour I have incurrid and described; Promisinge, firmely, and solemnely professinge before you in this present Writing never to retorne to the said Agnes Stanton, as to my Wief or Concubyne: but from hensefourth to absteyne from her, and to kepe meself sole, pure and chast from all carnall affections and copulations; especially from her, and [d]also all other women, according to the Lawes and Constitucions of our Mother, the Catholicke Church, and as my order also requireth. It witnes of this myne advised and deliberate mynd, promiss and profession I have to the same in this writinge subscribed my name with myne owne hand, yeven the [e]27th day of October in the yere of our Lord God [f]1554, and in the first and second yeres of the reignes of our Soveraigne Lord and Lady Kg Philip and Quene Mary Per me Robertum Vevian.

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[a] [Generali, &c. in præsentia]

[b] [sic :—ministration of sacraments]

[c] [appertaineth : have.]

Qua quidem Professione per prænominatum Robertum Vevian publice lecta, et manu sua propria subscripta, ac præstito [g]juramento, per ipsum Robertum Vevian ad sancta Dei Evangelia per ipsum corporaliter tacta et deosculata, de parendo juri, et stando mandatis Ecclesiæ, Dominus ad [h]ejus humilem petitionem, absolvit eum a sententia excommunicationis et alijs Censuris et pœnis juris per ipsum, ex causis superius expressatis, incursis, et eum Sacramentis Ecclesiæ, ac Officio suo Presbyte-

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[d] [also from all]
[e] [18th]
[f] [1554. &c. Per me]
[g] [juramento, &c. de pacendo]
[h] [humilem ejus]

rali, et integræ functioni, ejusdem restituit et redintegravit; et decrevit sibi literas Testimoniales, &c.

Restitutio Joannis Bowne, Rectoris de Wymbaldoune in Decanatu de Croidon.
Restitutio Henrici [i] Williams, Presbyteri.
Restitutio Petri Williamson, Presbyteri, [k] resident within the parish of Merstham.

[l] *These are al in the same Form with the above, only* mutatis mutandis. *And no more are Registred but these.*

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NUMBER LXXVI.

[See p. 100 of this volume. The variations in Strype follow.]

JOHN FOXE HIS LETTER TO THE PARLAMENT, AGAINST REVIVING THE ACT OF THE SIX ARTICLES.

Foxii MSS. [Harl. MSS. 417. No. 93. fol. 123. British Mus.]

Frequens hic per omnium ora ac aures jactatur non suspicio modo, sed constans certissimaque prædicatio id vos (summi, sanctissimique Patres) moliri, ut sanguinariæ leges illæ sex articulorum titulo inscriptæ, quondam bene sopitæ, nunc demum velut ex orco revocentur ad superos. Quod si verum sit, quam vobis plausibile, ac quibusdam sit gratum ignoro, certe quam reipub: funestum ac ominosum sit futurum satis jam pridem declarat publicus mæror, tristissima rerum fere humanarum ac luctuosa facies, optimi cuiusque gemitus, nec tacita solum suspiria sed ubertim ex doloris acerbitate prorumpentes lachrymæ, quotidiana bonorum fuga, totiûs denique reipub: (si tamen respub: aliqua sit) squallor, ut interim taceam, conscientiarum occulta iudicia ac vulnera, in omnibus fere horror, in nonnullis etiam funera ac mortes ex rerum perturbatione contractæ. Quæ si calamitates tot tantæque quidem illæ quantas vix in ulla unquam repub: coxspeximus, ex concepta rerum imagine, atque recordatione duntaxat ipsa cives adeo perstringunt vestros, quid vos futurum tandem existimatis (suspici-

[i] [William] [k] [resident—Merstham: omitted].
[l] [This note is Strype's.]

endi domini) exhibitis jam rebus ipsis, ubi in exhibendis tanta sit trepidatio? ubi intollerabilis ipse legum rigor, et acutissima acies cervicibus jam [q]incumbet civium, ubi tot milia hominum, non vitæ libertatem, quam jam amiserunt, sed vitam ipsam [r]cogantur deserere, nec jam vita, sed et conscientia etiam erepta hominibus, nec Deo quidem supplicare licebit pro arbitratu suo, sed ad libidinem paucorum. Quæ quum ita sint, vel deteriora etiam quam a me referri queant, considerabit prudentia vestra, quæ documentis nostris non eget [s]quid pro communi salute rerum consilia vestra potissimum flectenda [t]sint. Hæc etenim iam ipsa aguntur tempora, quibus vobis jam in manu situm est, fœlices nos velitis, an perditos: si tam vilem habeatis civium vestrorum sanguinem, si nihil vos moveant tot hominum gemitus, quærelæ, lachrymæ, bonorum miseriæ, si parum sit vobis una ab iisdem legibus accepta clades, age denuo revocetur Troianus equus in urbem, quo soli vel cum paucis regnum hoc possideatis. Sin vero ulla subit animos vestros reipub: charitas, si quod patriæ studium maneat, si quid preces nostræ, si quid bonorum, supplices manus, si quid denique reipub: si quid ecclesiæ Christianæ, (quam advolutam genibus vestris existimetis) flebilis quærela valeat, efficite modo pii proceres, pro summa pietate, ut pluris sit apud vos salutis publicæ conservatio, quam privata quorundam sollicitatio, nec quid possit pro imperio authoritas, sed quid æquitas potius civibus debeat vestra, velitis considerare. Nihil enim in omni officiorum genere fieri æquius arbitror, quam ut quorum vos patria Patres conscripsit ipsa, eos in filiorum loco ascitos tueamini; quique suam ad vos omnem reverentiam, ac dignitatis [u]authoramentum transferunt, iidem a vobis salutis ac tranquillitatis vicissim accipiant suæ incolumitatem. 182 Quod si communis patriæ respectus vos minus attingat, att [v] quod vobis ipsis dignum, quod generosa, ac heroica sanguinis vestri nobilitas, tacito quodam sensu vobis suggerat, attendite. Nam quum inter humanos omnes affectus, nil sit tam hominis proprium, quam clementia, qua divinæ naturæ imaginem maxime referre, vel infimi etiam videntur homines, quid tum a vobis expectari convenit (illustrissimi heroes, qui quo sublimiorem honoris in his terris gradum sortiti estis, hoc expressius supremo huic imaginis divinæ architypo respondere omnibus modis decet: porro, habetis ad hoc Reginam, ut nobilissimam, ita ad sana et salubria quæque obsequacem Principem. Habetis et Cancellarium ut doctrina præstabili, ita natura non improbum, [x]si quorundam absint consilia. verum ut inter animantium genera, quædam noxia, alia ad [y]hominum usus creata existunt, rursus sunt, quæ in hoc tantum dicas nata, ut reliquis molestiam ac perniciam moliantur. Sic in humanis rebus nulla respub: nec vitæ genus est, quod suas non habet vomicas, et κακόβουλους. Atque hi sunt potissimum, qui relligione præposteri, natura sævi, alteri ecclesiæ, alteri reipub: exitiales existunt. Quibus quum bene esse non possit, nisi perturbatis rebus, turbam quantum queant intendunt ad sævitiam. mitissimos principum animos, hoc est reipub: fontes vitiant, consilia instillant, non quæ honesto, sed quæ ventri suo, ac quæstui serviant, simile quiddam exercentes in humanis rebus quale Ate tribuit Homerica narratio. Deinde quum tutiùs lædunt sub umbra nobilitatis, ac [z]antro se occultant, quo si quid adveniat [a]adversi se postremo ferint: si quid boni sit, ipsi primi sint ad carpendam messem: et quoniam iuxta imperitorum legem, nihil his recte fieri videtur, nisi quod ipsi faciunt, ad arbitratum suum universam religionem cum ipsa scriptura corrigendam putant, Quicquid ipsis non placet, hæreticum est. [b]Nil autem placere potest, quod non ilico alba amussis sit, quantum libet a scopo alienum.

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[q] [incumbit] [r] [cogenter] [s] [sed pro] [t] [sunt]
[u] [authoritatem] [v] [sic]

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[x] [si quorum]

[y] [hominis usum]

[z] [This word is not very legible: a vacant space is left by Strype.]

[a] [adversi illas postremo feriat]

[b] [Nil sibi placere]

NUMBER LXXVII.

[See p. 105 of this volume. The variations in Strype are given as foot notes.]

AN INSTRUMENT OF THE UNIVERSITY OF CAMBRIDGE, APPOINTING CERTAIN OF THEIR MEMBERS TO REPAIR TO OXFORD, TO DISPUTE WITH CRANMER, RIDLEY AND LATIMER THERE.

Procuratorium Achademiæ Cantabrig.

Foxii MSS. [Harl. MSS. 422. fol. 101. British Mus.]

Universis Christi fidelibus præsentes literas visuris lecturis et audituris et quos infrascripta tangunt, seu quovismodo tangere poterunt Nos Vicecancellarius Senatusque tam Regentium quam non Regentium almæ Achademiæ Cantabrigien. salutem et dilectionem in Christo Jhesu. Cum jampridem ex parte sacræ sinodi sive convocationis prælatorum et cleri [c]Cant. provinciæ aucthoritate et mandato sereniss. et religiosiss. dominæ nostræ Reginæ Mariæ convocatæ, nobis in senatu nostro ad effectum infrascriptum in simul congregatis exhibiti fuerint quidam 183 articuli tenoris infrascripti, viz. In sacramento altaris virtute verbi divini a sacerdote prolati præsens est realiter sub speciebus panis et vini, naturale corpus Christi conceptum de Virgine Maria Item naturalis ejusdem Sanguis. Post consecrationem non remanet substantia panis et vini, neque alia ulla substantia nisi substantia Christi Dei et hominis In Missa est vivificum ecclesiæ sacrificium pro peccatis tam vivorum quam mortuorum propitiabile Simulque requisiti fuerimus eosdem articulos matura deliberatione legere expendere et considerare Et si sanam veram et catholicam doctrinam contineant eosdem [d]comprobare velimus Nos in Senatu nostro sic (ut præfertur) convenientes perlectosque nobis articulos et contenta in eiisdem quanta decebat in [e]re tam gravi maturitate et deliberatione perpendentes et librantes quandoquidem ipsos et contenta in eiisdem cum catholica virtute et fide orthodoxa per omnia convenire animadvertimus eosdem unanimi consensu nostro atque assensu ut veros [f]catholicos orthodoxos ac veritati et doctrinæ catholicæ ac aperto Dei verbo, consentientibus veterum orthodoxorum patrum testimonijs generaliumque consiliorum auctoritatibus per omnia innitentes et congruentes, tam consentientibus animis comprobavimus ut nostrâ plurimum interesse arbitrati sumus doctrinam articulorum hujusmodi contra omnes illius oppugnatores defendere et tueri Intelligentes itaque tam facti notorietate quàm famæ publicæ relacione, esse nonnullos perditionis et iniquitatis filios seditiosos errorum innovatores et ecclesiæ Christi hostes, qui hujusmodi [g]sanam catholicam et [h]orthodoxam doctrinam, ac ecclesiæ unitatem modis omnibus perturbare dilacerare infestare [i]affligere et [j]enervare et evertere satagunt et conantur quorum præcipui authores et antisignani nominatim sunt d. Thomas Crannerus nuper Cantuar. Archiepiscopus Nicolaus Riddleius, nuper Roffensis et Hugo Latymerus, jam olim Wigorn. Episcopis Achademiæ nostræ Cantabr. quondam alumni modo apud inclitam Universitatem Oxoniensem existentes nostrarum partium esse duximus non modo veritatem catholicam prædictam verbo et scriptis comprobare ac mundo palam facere verum etiam eandem nedum contra eosdem principales adversarios sed et contra omnes alios ecclesiæ hostes et veritatis Christi oppugnatores pro virili nostra manifesto Dei verbo sanctorumque patrum testimonijs defendere tueri et propugnare Ac proinde quo veritas magis elucescat quosdam pios et eruditos viros ex eadem nostra universitate ad hoc muneris publico omnium nostrum nomine obeundum viz. d. Johannem Yonge, vicecancellarium nostrum Gulielmum Glyn Richardum Atkynson Cuthbertum Scott Thomam Watson Albanum Langdale et Thomam Segswyk, theologiæ professores conjunctim et divisim selegimus nominavimus et deputavimus Dantes et concedentes eiisdem prout et tenore præsentium sic damus et concedimus conjunctim (ut præfertur) et divisim plenariam potestatem aucthoritatem et facultatem vice et nominibus omnium nostrum almam Achademiam Oxon. quibuscunque diebus eis visum fuerit petendi et proficiscendi Ac si quidem libera eis pro more aucthoritate Universitatis Oxon. in hac parte dabitur venia et facultas cum dictis dominis Cranmero Ridleio et Latimero cæterisque ejusdem farinæ monstris palam 184 et publice sive privatim congrediendi hijsque de rebus disserendi disputandi et argumentandi sanamque doctrinam prædictam contra eos patrocinandi et propugnandi adversariosque prædictos et eorum perversas opiniones et sententias atque hæretica dogmata refellendi refutandi, et convincendi Eosque ad resipiscentiam modis omnibus quibus poterint hortandi reducendi et persuadendi Cæteraque omnia et singula faciendi exercendi et expediendi quo hujusmodi negotij qualitas et natura de se exigunt et requirunt Promittentes nos ratum gratum et firmum perpetuo habituros totum id et quicquid ab eiisdem eruditis viris nomine et vice nominis in præmissis aut eorum aliquo actum aut gestum fuerit In quorum omnium et singulorum fidem [k] et et testimonium præmissorum has nostras commissionis, et deputationis literas nostro communi sigillo communiri fecimus Datum e Senatu nostro Cant. x°. die mensis Aprilis Anno verbi incarnati supra Millesimum quingentesimum quinquagesimo quarto.

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[c] [A word crossed out after 'Cant.' apparently 'provinciæ.]

[d] [approbare]

[e] ["iisdem" crossed out.]

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[f] ["et" after catholicos crossed out.]

[g] [sacram]

[h] ["fidem" after "orthodoxam" crossed out.]

[i] ["et" after "infestare" crossed out.]

[j] [affligere et evertere.— "et enervare" interlined in the MS.

NUMBER LXXVIII.

[See p. 105 of this volume.]

THE UNIVERSITY OF CAMBRIDG TO THAT OF OXFORD RELATING TO THE FORMER MATTER[1].

Reverendis in Christo viris d. vicecancellario Oxoniensi et universis doctoribus illius Achademiæ atque Magistris Regentibus et non Regentibus.

Gravi nuper et turbulenta tempestate sicut vos scitis et experti estis Reverendi in Christo fratres ecclesiæ nostræ horri-

Foxii MSS. [Harl. MSS. 416. fol. 39. British Museum.]

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[k] [sic]

[1] [Endorsed: "D. pp. restitutus 1554. 1 decemb. miss. pro regia" [the next word unintelligible] "et processu. Concordat cum originalibus literis missivis et procuratoriis."]

biliter jactatæ sunt Tetra etenim seditiosi erroris, et protervæ
atque obstinatæ hæreseos pestis ac lues omnes Angliæ oras pergrassata
ipsas etiam academias corripuit atque gravissime et
periculossime infestavit Christi pura et orthodoxa religio [m]mendacibus
Sectariorum commentis et prodigiosis subinde pullulantium
falsarum doctrinarum monstris misere deformata et dilacerata
iacuit Jam tamen singulari numinis beneficio et D. nostri
Jesu Christi atque illius sacri Spiritus afflatu serenior aura et
placida atque amœna amabilis concordiæ tranquilitas affulgere
occæpit Gratias proinde indesinentur agere debemus cœlesti
patri qui propter suam misericordiam ecclesijs nostris magna
persecutionis violentia afflictatis optabilem et serenum statum
restituerit qui per optimam et religiosissimam Reginam Religionis
catholicæ integritatem quæ corruptorum maliciosa improbitate
pæne extincta fuerat restauravit atque Achademijs nostris
antiquam suam libertatem quæ nephandorum tyrannide opprimebatur
reddidit nostrarum vero partium esse ducimus tantam
et tam illustrem Dei erga nos beneficentia agnoscere et confiteri
atque etiam eundem Deum et propitium nostrum dominum assiduis
precibus interpellare ut hæc quæ jam restaurata est religionis
orthodoxa et pura integritas in dies magis ac magis augeatur
185 atque ea quæ jam conciliata est pax et concordia firmius
et solidius coalescat hoc etenim est quod vas electionis et
Christi apostolus P. hortatur et admonet dicens cum patientia
supportate vos invicem soliciti servare unitatem spiritus in vinculo
pacis unum corpus unus spiritus sicut et vocati estis in una
spe vocationis vestræ. unus dominus una fides unum baptisma
unus Deus et pater omnium qui est per omnia et super omnia et
in omnibus [n]nobis. Nos proinde eandem spiritus unitatem,
cum catholica Christi ecclesia retinentes articulos de quibus
postrema Sinodo Londoniensi inter ecclesiarum nostrarum proceres
conveniebat unanimi consensu comprobantes atque veram,
sanam et catholicam doctrinam eijsdem exprimi et explicari
agnoscentes optamus lupos omnes qui Christi [o]ovile dissipare et
simplices oviculas seducere conantur ab ecclesiæ castris procul

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[m] [a word after "mendacibus" crossed out: the conclusion only legible ". . . . ctorum."]

[n] [sic:—nobis.]

[o] [a letter like S. before "dissipare."]

abarceri Dilectos itaque nobis, et eruditos viros D. Jo. Yonge Vicecancellarium nostrum D. Gulielmum Glyn Richardum Atkynson Cuthbertum Scott Thomam Watson Albanum Langdale et Thomam Segswyck theologiæ professores atque catholicæ fidei et Achademiæ nostræ alumnos ad vos legare destinavimus non quod doctrinam articulorum in questionem et disputationem vocent quam nos omni ambiguitate seposita veram et orthodoxam esse agnoscimus utpote quæ et aperto Dei verbo et consentientibus patrum testimonijs et generalium conciliorum auctoritate fulciatur et confirmata sit sed ut nostro omnium nomine sanæ doctrinæ una vobiscum patrocinentur atque orthodoxam fidem propugnent et eos qui eidem adversantur convincant, et hereticæ atque perversæ sententiæ authores refellant et refutent Quales apud vos esse credimus Thomam Cranmerum N. Rydley et Hug. Latimerum nuper episcopos et Achademiæ nostræ atque Christi ecclesiæ filios obedientes nunc vero, sicut quidam referunt, (quod nos dolentes scribimus,) falsæ et corruptæ doctrinæ contumaces patronos quorum nos miserandum statum multum deploramus mentem illis meliorem precantes quo mutata sententia per recipiscentiam in matris ecclesiæ sinum simul sese recipiant. quam quisquis non habuerit suam matrem, is Deum Patrem habere non poterit Ut, ergo vos intelligeretis quæ nostra esset his de causis sententia, pios et eruditos hos viros ad vos publica auctoritate nostra mittimus atque has literas communi nostro sigillo sigillari fecimus Christus Jhesus vos vestramque illustrem achademiam pietate et bonis literis florentem ad veræ religionis augmentum et corruptæ errorum profligationem perpetuo conservet e senatu nostro 10. Aprilis 1554.

Vestrum omnium in Christo amantissimi Vicecancellarius et Regent. et non Regent. Senatus Cantabr.

NUMBER LXXIX.

[See pp. 68 and 123 of this volume. The text is taken from the Emmanuel Coll. MS. The variations of each edition follow: M. indicating the Letters of the Martyrs; F. Foxe; and S. Strype. Dr. Jenkyns remarks that the Emm. MS. differs considerably from the copies in Foxe and Strype, but agrees, excepting in a few words, with that in the Martyrs' letters.]

Foxes [Acts and Monuments, p.1464. Ed. 1583. Letters of the Martyrs. fol. 16. ed. 1564. MS. Emman. Coll. Camb. orig. [b]]

CRANMER'S LETTER TO THE QUEEN'S COUNCIL AFTER HIS DISPUTATION AT OXON.

To the lordes of the Counsel [c].

[d] He desired to be releaved of treason, but after was accused of heresye which he best liked for then he knewe his cause was Christe.

In [e] most humble wise suyth unto [f] your right honorable Lordshippes, Tho. Cranmer late Archebushoppe of Cant. besechynge the same to be a meanes for me vnto the quenes highnes for her mercie and pardon. Some of yowe knowe by what meanes I was brought and trayned vnto the will of our late Soueraigne Lord Kynge [g] Edwarde, and what I spake against the same, wherin I refer me to the reportes of your [h] honors. Furthermore this ys to signifye [i] vnto your Lordshippes that vppon munday tuysday and wensday last past were open disputations here in Oxforde agaynst me Mr. Rydley and Mr. Latymer in thre matters concernynge the sacramente. First of the real presence, secondly of transubstantiation, and [m] thyrdly concernynge the sacrifice of the masse. Howe the other two [n] were vsed I cannot tell, for we were separated, so that none of us [o] knewe what the other sayd nor howe they were ordered. But as concernynge my self I can [p] reporte, that

[k] They [l] put out thre questions, but they suffred hym not to answer fully in one.

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[b] [Printed in Jenkyns's Cranmer, vol. i. p. 365. Works of Archbp. Cranmer, Park. Soc. Ed. vol. ii. p. 445.]

[c] [This heading omitted : F. S.]

[d] [This marginal note omitted: M. F. S.]

[e] [right humble wise sheweth : F. S.]

[your honourable : F. S.]

[g] [Edward the vith : M. F. S.]

[h] [honours and worships : F. S.]

[i] [to : S.]

[k] [marginal note omitted : F. S.]

[l] [put to him : M.]

[m] [thirdly of the : F. S.]

[n] [were ordered, I know not : F. S.]

[o] [knoweth : F. S.]

[p] [report, Dr. Chedsey was appointed to dispute against me, but the disputation was so confused, that I never knew the like; every man bringing forth what him liked: F. S.]

I neuer knewe nor heard of a more confusede disputation in all my lyfe. For albeit there was one appoynted to dispute agaynst me, yet every man spake hys mynde and brought forth what hym liked, with out order, and such hast was made, that no answer coulde be suffered [q] to be geven fully to any argument. And in such weighty and large matters there was no remedye but the disputations must needes be ended in one day which can [r] scantly well be ended in thre monethes, and when we had answered [s] them, then they wold not appoynte vs one day to brynge forth our proffes that they might [t] answer vs agayne, beinge required of me therevnto. Where as I my self have more to say than can be wel [u] discussed in 20 dayes. The meanes to resolue the truth had ben to han suffered vs to answer fully to all that they coulde say, and then the agayn to [x] answer to all that we [y] could say. But why they wold not answer vs, what other cause can there be, but that either they feared [z] the matter [a] that they were not hable to answer vs, or [b] elles (as by their hast might well appeare,) they came, not to speake the trouth, but to condemne vs in post haste, before the trouth might be thoroughly tryed and heard; [c] for in all hast we were all thre condemned of [d] heresy uppon friday. This much I thought good to [g] certifie [h] vnto your Lordshippes, that yowe may knowe the indifferent handlynge of matters, leavynge the iudgemente therof vnto your wisdomes, and I besech your Lordshippes to remember me a pore prisoner vnto the quenes

[e] this was post hast in deede. Behold Satan [f] slepes not therein, and desire to avenge could abide no delay.

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[q] [to be taken fully to any argument, before another brought a new argument. And in such weighty matters the disputation must needs: F. S.]

[r] [scantly be: F. S.]

[s] [them, they: F. S.]

[t] [answer us, being required by me: F. S.]

[u] [discussed, as I suppose, in: F. S.]

[x] [answer us fully too: F. S.]

[y] [can say: F. S.]

[z] [their matter: F. S.]

[a] [or that: S.]

[b] [else for some consideration, they made such haste, not to seek the truth, but to condemn us, that it must be done in post haste, before the matters could be thoroughly heard: F. S.]

[c] [for in haste: S.]

[d] [heresy. Thus much: F. S.]

[e] [marginal note omitted: F. S.—The first six words omitted: M.]

[f] [sleepeth not.—Their desire: M.]

[g] [signify: M. F. S.]

[h] [to: S.]

maiestye, and I shall pray as I do dayly [k] vnto God for the longe preservation of your good Lordshippes in all godlynes and [l] felicitie.

NUMBER LXXX.

[See p. 140 of this volume. The variations in Strype are given as foot-notes.]

THE LORD LEGATES COMMISSION TO THE DEAN AND CHAPTER OF CANTERBURY, DEPUTING THEM TO ABSOLVE AND DISPENSE WITH THE CLERGY IN HIS STEAD; AND ABSOLVE THE LAITY [m].

Registr. Eccles. Cant. [m. 14. fol. 8. verso.]

Commissio Domini Cardinalis [n] Reginaldi Poli Legati de Latere, de reconciliandis Papæ et ecclesiæ Romanæ.

Reginaldus miseratione divina Sanctæ Mariæ de Cosmedin Sanctæ Romanæ Ecclesiæ Diaconus Cardinalis Polus nuncupatus Sanctissimi D. N. Papæ et Sedis Apostolicæ ad Serenissi- 187 mos Philippum et Mariam Angliæ Reges, et universum Angliæ regnum de Latere Legatus, VENERABILIBUS ac nobis in Christo dilectis Decano et Capitulo Ecclesiæ Metropolitices Christi Cantuar. ad quos omnis et omnimoda jurisdictio Spiritualis, et Ecclesiastica quæ ad Archiepiscopum Cantuar. sede plena pertinuit ipsa sede jam vacante notorie dinoscitur pertinere seu eorum in Spiritualibus Vicario Generali, Salutem in Domino sempiternam CUM Sanctissimus in Christo Pater Dominus noster Dominus Julius [o] divina providentia Papa tertius inter alias facultates pro hujus regni omniumque personarum in [p] eo existentium Sanctæ Ecclesiæ reconciliatione facienda necessarias nobis in hac nostra Legatione concessas hanc specialiter indulserit, ut quoscunque in hæresium et schismatis errores lapsos, ab eis, et a quibuscunque censuris et pœnis propterea incursis absolvere, et cum eis super irregularitate præmissorum occasione contracta dispensare Et alia multa ad hæc necessaria seu quomodolibet opportuna facere, Et hoc idem munus Catholicis locorum ordinariis, et aliis personis Deum timentibus, fide insignibus, et

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[k] [to: M.]

[l] [felicity: April 23. F. S.]

[m] [This heading is Strype's.]

[n] [Domini Reginaldi Poli Legati de latere. Reginaldus.]

[o] [providentia divina]

[p] [ea]

literarum scientia præditis demandare possumus prout in ejus literis tam sub plumbo, quam in forma Brevis expeditis plenius continetur. CUMQUE [q]Dei benignitate, et Serenissimorum Regnum pietate Regnum hoc universaliter, et omnes Domini Spirituales et Temporales aliæque personæ Communitatum, in eo quo proxime celebratum est Parliamento congregatæ singulariter [r]primo et deinde universum corpus cleri provinciæ Cantuariensis et omnes fere personæ singulares dictum corpus repræsentantes, coram nobis existentes, aliæque pleræque fuerint, Sanctæ Ecclesiæ Catholicæ per nos reconciliatæ speremusque fore, ut omnes aliæ quæ reconciliatæ adhæc non sunt [s]reconciliari debeant, Difficileque, et potius impossibile sit ut tam [t]innumerosa multitudo per manus nostras reconcilietur. [u]Ideoque vices nostras in hoc locorum Ordinariis et aliis Personis, ut supra qualificatis delegandas duximus. Circumspectioni igitur vestræ, de cujus probitate, et charitatis zelo plenam in Domino fiduciam obtinemus, Auctoritate Apostolica nobis per Literas ejusdem Sanctissimi D. N. Papæ et per nos vobis nunc impensa, omnes et singulas utriusque Sexus tam laicas quam Ecclesiasticas, singulares et quorumvis [x]ordinium Regulares vestræ civitatis et Dioceseos personas in quibusvis etiam sacris ordinibus constitutas, [y]cujuscumque status et qualitatis existant, etiamsi Capitulum, Collegium, Universitas, seu Communitas 188
fuerit quarumvis hæresium et novarum Sectarum professores aut in eis culpabiles vel suspectas ac credentes, receptatores, et fautores ipsorum suos errores agnoscentes, ac de illis dolentes, et ad orthodoxam fidem recipi humiliter postulantes, cognita in ipsis vera, et non ficta [z]aut non simulata pœnitentia, ab omnibus et singulis hæresium et schismatis, et ab orthodoxa fide Apostasiarum et blasphemiarum, et aliorum quorumcunque similium errorum etiam sub generali sermone non venientium peccatis, criminibus, excessibus et delictis, (de quibus [a]tamen jam inquisiti vel accusati seu condemnati non fuerint,) et quibusvis excommunicationis Suspensionis, et [b]interdictorum et aliis eccle-

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[q] [de]

[r] [primum]

[s] [reconciliatæ fuerint]

[t] [numerosa]

[u] [Ideo]

[x] [sic . . . ordinum]

[y] [cujuscunque etiam status]

[z] [aut simulata]

[a] [tamen inquisiti]

[b] [interdictionum]

siasticis, et temporalibus sententiis censuris et pœnis in eas præmissorum et infra scriptorum occasione ac jure vel ab homine latis vel promulgatis etiamsi eis pluribus annis insorduerint et earum Absolutio dictæ Sedi etiam per literas in die cœnæ Domini legi consuetas reservata existat, In utroque Conscientiæ scilicet et contentioso foro, eos vero qui jam inquisiti, vel accusati, aut condemnati fuerint, vel ut præfertur ad cor revertentes in foro conscientiæ tantum plenarie absolventes et liberantes.

Necnon cum eis super irregularitate per eos occasione præmissorum contracta, etiam quia sic Legati Missas, et alia divina officia, etiam contra ritus et ceremonias hactenus probatas et usitatas, celebraverint, aut illis alias se immiscuerint, contracta, Quodque irregularitate et aliis præmissis non obstantibus in suis ordinibus etiam ab hæreticis et schismaticis Episcopis etiam minus rite dummodo in eorum collatione [c] Ecclesiæ forma et intentio sit servata per eos susceptis, et in eorum susceptione etiam juramentum contra Papatum Romanum præstiterint etiam in Altaris ministerio ministrare ac quæcunque quotcunque ac [d]qualicunque etiam curata invicem tamen se compatientia beneficia Secularia, vel Regularia (dignitatibus in Collegiatis ecclesiis principalibus et in [e]Cathedrialibus, etiam Metropolitanis post Pontificalem majoribus exceptis) etiam Schismaticis Episcopis seu aliis Collatoribus etiam laicalis potestatis prætextu habita, auctoritate Apostolica retinere dummodo alteri jus quæsitum non sit Et non [f]promoti ad omnes etiam sacros et presbyteratus ordines a suis Ordinariis si digni et idonei fuerint, rite et legitime promoveri ac beneficia ecclesiastica etiam curata si eis alias canonice conferantur recipere et retinere valeant qualitate temporis, ministrorum defectu et ecclesiæ necessitatibus utilitatibusque ita poscentibus Dispensandi, et indulgendi, et omnem inhabilitatis et infamiæ maculam sive notam ex præmissis quomodolibet insurgentem penitus et omnino abolendi, necnon in pristinum et eum in quo ante præmissa quomodolibet erant statum, Ita [g]ut omnibus et singulis gratiis privilegiis favoribus et indultis, quibus cæteri Christi fideles gaudent, et gaudere quomodolibet possunt, uti et gaudere valeant in omnibus et per omnia perinde ac si a fide Catholica nunquam in aliquo defecissent restituendi reponendi, et redintegrandi, ac eis (dummodo corde contriti) sua errata et excessus, circumspectioni vestræ, seu alicui alteri per eos eligendo Catholico Confessori sacramentaliter confiteantur [h]ac pœnitentiam salutarem eis pro præmissis injungendam omnino adimpleant, omnem publicam confessionem, abjurationem, [i]renunciationem, et pœnitentiam [k]jure debitas arbitrio vestro moderandi, [l]vel in totum remittendi. Necnon quoscunque Regulares, et Religiosos extra eorum regularia loca absque sedis 189 Apostolicæ licentia vagantes, ab Apostasiæ reatu aliisque censuris et pœnis ecclesiasticis per eos propterea etiam juxta suorum ordinem instituta incursis injuncta eis pro modo culpæ pœnitentia salutari pariter absolvendi et super quacunque irregularitate propterea per eos contracta, aut cum eis, ut alicui curato beneficio de illius obtinentis [m]consensu etiam in habitu clerici sæcularis habitum suum regularem sub honesta toga Presbyteri sæcularis deferen. deservire, et extra eadem loca regularia remanere ad beneplacitum nostrum libere et licite possunt, eadem auctoritate Apostolica ob defectum ministrorum et alias prædictas causas dispensandi, Ac quoscunque qui in sacris ordinibus constituti Matrimonia etiam cum viduis et corruptis mulieribus de facto contraxerint, postquam mulieres sic copulatas rejecerint illisque abjuraverint, ab hujusmodi excessibus et excommunicationis sententia [n]imposita, eis pro modo culpæ pœnitentia salutari in forma ecclesiæ consueta absolvendi, ac cum eis postquam pœnitentiam peregerint, et continenter [o]ac laudabiliter vivere cogniti fuerint, super bigamia propterea per eos contracta, ita ut ea non obstante in quibusvis susceptis et suscipiendis ordinibus, etiam in Altaris ministerio ministrare ac alicui beneficio ecclesiastico, de illius obtinentis consensu deservire, extra tamen Diocesin in qua fuerint copulati eisdem de causis dispensando, necnon parochialium Ecclesiarum tuæ

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[c] [ecclesiastica]

[d] [sic .... qualiaecunque]

[e] [sic .... cathedralibus]

[f] [promotes]

[g] [ut et omnibus]

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[h] [et]

[i] [reconciliationem]

[k] [juxta]

[l] [et in]

[m] [consensu in habitu]

[n] [interposita, eos]

[o] [et]

Dioceseos Rectores sive Curatos, de quorum fide probitate circumspectione, et charitatis zelo plena fiducia conspici [p] possit, ad quarumcunque utriusque sexus suæ parochiæ personarum laicarum tantum absolutionem, et ecclesiæ Catholicæ reconciliationem (ut præfertur) auctoritate Apostolica faciendam, Et siqui ex Curatis prædictis ad id idonei non fuerint in eorum defectum alias idoneas et sufficientes personas quæ eorum vices suppleant nominandi et deputandi quos sic per vos nominatos et deputatos in locum nostrum in præmissis absolutionibus et reconciliationibus [q] substituimus eisque vices nostras subdelegamus plenam et liberam auctoritate apostolica nobis (ut præmittitur) concessa, tenore præsentium concedimus facultatem, vosque in præmissis omnibus in nostrum locum substituimus. Præmissis ac Regula de insordescentibus edita, et quibusvis aliis constitutionibus, et ordinationibus Apostolicis, et omnibus illis, quæ in literis prædictis Sanctitas sua voluit non obstare, contrariis non obstantibus quibuscumque præsentibus in præteritis casibus locum habentibus, et ad beneplacitum nostrum duraturis. Datum Lambethi prope Londinum Wintoniensis Diocæsis, Anno a Nativitate Domini millesimo quingentesimo quinquagesimo quinto idibus Februarii Pontificatus Sanctissimi Patris et Domini nostri Domini Julii divina Providentia Papæ tertii anno quinto.

Reg. Car. Polus Leg.

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[p] [potest]

[q] [substituimus: Præmissis, ac Regula]

NUMBER LXXXI.

190

[See p. 140 of this volume. This follows immediately after the preceding in Reg. Cant.]

THE LORD LEGATE'S INSTRUCTIONS TO THE BISHOPS, IN THE PERFORMING OF HIS ORDERS ABOUT ABSOLVING THEIR CLERGY AND LAITY.

Regist. Eccles. Cant. [m. 14. fol. 10. verso.]

Singuli Domini Episcopi, necnon Officiales Ecclesiarum, quæ nunc vacant pro executione eorum quæ a Reverendissimo Domino Legato sunt eis demandata ordinem qui infrascriptus est, poterunt observare.

PRIMUM vocatum ad se totum singularem civitatum, quibus singuli præsunt, Clerum de hiis, quæ sequuntur instruere procurabant.

DE paterno amore et charitate quam Sanctissimus Dominus noster Julius Papa tertius erga Nationem Anglicam declaravit, qui ut primum cognovit Serenissimam Mariam fuisse[r] Reginam declaratam Reverendissimum Dominum Reginaldum Cardinalem Polum de suo latere ad has partes Legatum misit ut Regnum hoc tot jam annos ab Ecclesia Catholica separatum ad ejus unionem reducere, et in errores lapsos consolari atque in Dei gratiam restituere studeret.

DE ejusdem Domini Legati adventu, quanta lætitia, [s] et honore is acceptus fuit, tum a Serenissimis Regibus tum ab aliis omnibus.

DE HIIS quæ in proximo Parliamento acta et conclusa sunt scilicet de omnibus Dominis de Parliamento et universo regno a schismate et censuris incursis absolutis et Ecclesiæ Catholicæ reconciliatis, de [t] omnibus legibus quæ contra auctoritatem sedis Apostolicæ, et Romani Pontificis fuerunt per Henricum Octavum et Edwardum Sextum latæ et promulgatæ revocatis et abolitis, De restituta sanctissimo Domino nostro Papæ et Ecclesiæ Romanæ eadem obedientia quæ ante hoc perniciosissimum schisma præstabatur.

DE authoritate Episcopis restituta et maxime ut possint contra hæreticos et schismaticos procedere, et eos juxta canonicas

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[r] [Reginam fuisse] [s] [atque] [t] [de quibusdam legibus]

Sanctiones coercere et punire. Hiis ita expositis veniant ad facultates sibi ab eodem Reverendissimo D. Legato concessas, quæ recitentur, et hic omnes qui in schisma [u] vel alios errores lapsi sunt invitentur ad Absolutionem et conciliationem humiliter ex toto corde petendam [x] necnon Dispensationes tam super ordinibus, quam super beneficiis necessarias et opportunas [y] postulandas deinde præfigatur Dies intra quem dicti de clero humiles et pœnitentes compareant ad petendam suppliciter absolutionem reconciliationem et dispensationes prædictas. Idem vero Domini Episcopi postquam illi omnibus erroribus suis renunciaverint, et promiserint sacramentaliter ipsis aut alteri sacerdoti Catholico confessuros esse errores suos, et pœnitentiam sibi [z] injungendam adimpleturos, eos absolvent, et Ecclesiæ reconciliabunt, et cum ipsis juxta formam facultatum, pro petentium necessitatibus prout sibi visum fuerit, dispensabunt: adhibendo semper convenientem, distinctionem inter eos qui solum in schisma et hereses inciderunt, et eos qui [a] eos etiam publice docuerunt, et alios ad peccandum [b] induxerunt.

191 Eodem die constituetur dies festus, et solennis, in quo, adstante in Ecclesia populi multitudine, Domini Episcopi, et omnes Curati in Ecclesiis suis omnia eadem quæ clero jam exposita fuerunt populo quoque insinuabant, et omnes invitabunt paterne et cum anni affectu ut agnitis erroribus suis ad Ecclesiæ Catholicæ gremium revertantur promittendo fore ut omnibus præterita crimina omnia condonentur, et remittantur, modo eos ex animo illorum pœniteat, et illis renuncient, Præfigatur autem terminus ut puta tota Pascatis Octava intra quem terminum omnes Ecclesiæ reconcilientur, [c] alioquin eo lapso contra ipsos et eos etiam qui post reconciliationem ad vomitum reversi fuerint severissime procedetur Dicatur de facultate concessa a Reverendissimo Domino Legato Episcopis et aliis ut absolvere possint omnes quicunque ad cor reversi fuerint.

Iidem Domini Episcopi et officiales nominabunt, et deputabunt Ecclesiarum parochialium Rectores, seu alias Personas idoneas, quæ laicos ab hærese et Schismate, et quibuscunque censuris absolvant juxta facultatum formam et tenorem, data per Episcopos formula, qua in absolutione et reconciliatione uti debeant.

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[u] [et]

[x] [necnon et Dispensationes]

[y] [postulandas. Præfigatur]

[z] [adinjungendam impleturos]

[a] [etiam eos]

[b] [adduxerunt]

[c] [alioqui]

EADEM poterunt cum Clero totius Diocesios observari, prout commodius visum fuerit.

DOMINI Episcopi et Officiales præfati, necnon omnes Curati seu alii ad id deputati habeant librum in quo nomen et cognomen et parochia omnium reconciliatorum inscribantur ut postea sciatur, qui fuerint reconciliati, et qui non.

IIDEM Domini Episcopi et Officiales Octava Pascatis elapsa, [d]poterunt facere Visitationem Civitatis primo, [e]deinde Diocesios et siqui non fuerint reconciliati [f]poterunt ad se eos vocare et cognoscere causas propter quas ab erroribus suis nolunt recedere et si in eis obstinate perseveraverint, tum contra eos procedent.

IN hac facienda Visitatione attendant diligenter, quæ in hoc brevi compendio sunt notata, et maximè faciant, ut omnes Ecclesiasticæ personæ ostendant titulos suorum Ordinum et Beneficiorum ut si in eis aliquis alias defectus notetur illis provideant, et omni studio procurent, ut errores, quibus Dioceses eorum [g]sunt infectæ extirpentur, et veritas fidei tum in concionibus, tum in confessionibus doceatur deputando personas idoneas ad conciones faciendas, et confessiones audiendas id etiam curent, ut sacrorum Canonum instituta in omnibus observentur, et nomen Divi Thomæ Martyris, necnon sanctissimi Domini nostri Papæ ex libris dispunctum in illis restituatur, et pro eo secundum morem ecclesiæ, ut ante Schisma fiebat, oretur.

IN publicationibus hujusmodi erit ante [h]omnia facienda commemoratio miseriarum, et infelicitatis præteritorum temporum et magnæ gratiæ, quam nunc Deus [i]pro sua misericordia populo huic exhibuit hortando omnes adhæc grato animo cognosenda, et infinitas gratias Divinæ ipsius bonitati assidue agendas.

HORTANDI [k]etiam sunt omnes, ut devoti orent Deum pro salute et felici statu horum Serenissimorum, et de hoc regno optime meritorum, ac merentium regum et specialiter pro felici partu Serenissimæ et piissimæ reginæ.

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[d] [poterint]

[e] [dein]

[f] [poterint]

[g] [sint]

[h] [omnia commemoratio]

[i] [pro misericordia]

[k] [sunt etiam]

[1] FACULTAS Curatis et aliis Ecclesiasticis personis per ipsos idoneis cognitis et nominatis per sanctissimum D. Legatum concessa est infrascripta.

UT ipsi omnes et singulas utriusque sexus laicas suæ parochiæ personas quarumvis hæresium, aut novarum sectarum professores, aut in eis culpabiles vel suspectas ac credentes receptatores et fautores eorum suos errores agnoscentes, et de illis dolentes, et ad horthodoxam fidem recipi humiliter postulantes, cognita in eis vera et non ficta aut simulata pœnitentia ab omnibus et singulis hæresium schismatis et ab orthodoxa fide apostasiarum et blasphemiarum et aliorum quorumcunque errorum etiam sub generali sermone non venientium, peccatis, criminibus, excessibus, et delictis de quibus inquisiti vel accusati, seu condemnati non fuerint et cum hiis etiam in foro conscientiæ tantum, et quibusvis excommunicationis, suspensionis et interdictorum et aliis ecclesiasticis et temporalibus sententiis, censuris, et pœnis in eos præmissorum occasione a jure vel ab homine latis vel promulgatis, etiam si in eis pluribus annis insorduissent et absolutio, [m]apostolici sedi et in die cœnæ Domini per literas legi consuetas reservata existat. Injuncta eis pro modo culpæ penitentia salutari auctoritate apostolica in forma ecclesiæ consueta absolvere, et illos unitati ecclesiæ Catholicæ restituere ac omnes solemnitates, quæ in hujusmodi absolutionibus de jure vel consuetudine solent adhiberi ratione multitudinis, arbitrio suo in partem vel in totum remittere secumque super quacunque irregularitate præmissorum occasione contracta dispensare possint et valeant, Præmissis ac regula de insordescentibus edita et quibusvis aliis constitutionibus et ordinationibus apostolicis etiam in die cœnæ Domini legi consuetis cœterisque contrariis quibuscunque non obstantibus.

192 Formula Absolutionis.

DOMINUS NOSTER JHESUS CHRISTUS summus Pontifex per suam piissimam misericordiam et clementiam Vos cruore suo preciocissimo redemptos de ineffabili sua pietate ab omnibus peccatis per vos commissis misericorditer absolvat Et ego auctoritate Apostolorum Divi Petri et Pauli, ac Sedis Apostolicæ mihi commissa, Vos et vestrum quemlibet ab omnibus peccatis, criminibus excessibus et delictis atque ab omni Hæresi Schismate Apostasia irregularitate et quocunque errore vestris. Necnon a juramento contra Papatum Romanum per vos præstito et a [n]quibusvis excommunicationis suspensionis et [o]interdictorum, et aliis sententiis, censuris et pœnis ecclesiasticis, a jure vel ab homine latis per vos ratione præmissorum incursis et contractis absolvo ac communioni fidelium et [p]sacros Sanctæ Dei ecclesiæ Sacramentis restituo, reduco, et redintegro. In nomine Patris et Filii et Spiritus Sancti. Amen.

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[1] [These two paragraphs: "Facultas——obstantibus." omitted.]

[m] [sic]

NUMBER LXXXII. 192

[See p. 143 of this volume. The variations in Strype are given as foot notes.]

AN ITALIAN TO HIS FRIEND, CONCERNING CAR. POLE.

[a] Pius quidam Italus, ad amicum, de studio ac Zelo pietatis, Cardinalis Poli.

Ex Balæi centuriis. [pp. 739—741, Ed. Bas. 1559.]

Nonne solitus fuisti affirmare, Cardinalem illum tuum Polum optime nosse justificationem sola fide in Christum? mirifice cuperem promotam doctrinam nostram, quam mundus odit? Expectare autem tempus atque occasionem, qua se patefaciat? Certe audivi ego te centies omnia hæc affirmantem [b]ut audierunt quotquot erant tibi aliqua necessitate conjuncti, et gustarunt bonum Dei verbum. Quum aliquis eorum aliquando quereretur, diceretque se non posse ferre Polum ita esse addictum Papis, atque ita palam, et tam malo exemplo consentire quotidie Missis, atque aliis illicitis cultibus, tu solebas prodire et affirmare, illam esse dissimulationem ad tempus, sed patefacturum se brevi, magno cum fructu Ecclesiarum Dei. Annon

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[n] [quibuscunque]

[o] [interdictionum.]

[p] [S. Sancti]

[a] [This heading is not given by Strype.]

[b] [atque]

desines nunc ita de illo sentire ac loqui? Non objicies patrocinium tam injustæ causæ? Non fateberis una nobiscum, Polum tuum aut veritatis et pietatis studium abjecisse, et peccare in Spiritum Sanctum ad mortem? aut nunquam serio in religione egisse? Ea vero colloquia, quæ apud eum aliquando instituebantur de Christo, de Evangelio, de viva fide et de justificatione, huc spectasse, ut nobis tandem pulchre imponeret? O miserum illum, et infelicem! Proh! quam atrociter læsit æternam Dei, Christi et Spiritus Sancti majestatem, atque omnes piorum ecclesias. Nam in regno Angliæ docebatur, et summa cum lætitia audiebatur, Justificatio sola fide in Christum, satisfactio peccatorum per Christum, certitudo salutis nostræ per Christum, vera pœnitentia, vera absolutio, verus ac legitimus usus Sacramentorum, atque aliæ hujusmodi doctrinæ, omnino conformes propheticis, Evangelicis, Apostolicisque oraculis, atque usui veteris Catholicæ ecclesiæ, ita ut essent inde sublati, extirpatique illi fœdissimi abusus, abominabilesque superstitiones atque idolomaniæ, quæ scatent, regnantque in Papatu. 193
Cum vero ageretur de his fæcibus rursus in illud regnum invehendis, divinis vero doctrinis abolendis, Polus tuus obtulit hic suam operam, quia speravit se autoritate et gratia plurimum illud valiturum. Ac statim regnum ingressus est, præcedente scilicet idolo crucis, et cum omni illa pompa atque abominatione, qua Legati Antichristi uti solent. Populo vero imperavit in palatium convenire, genua flectere ante se, (quin et Rex et Regina una procubuerunt in genua, nec puduit illum Antichristi Vicariam id sustinere), ubi autem populum admonuit hactenus a vera fide deviasse, atque hæreticum fuisse, addidit se absolutionem Papalem velle impartiri, eumque Sanctæ Romanæ Ecclesiæ reconciliare: et confestim erecta manu, cruceque illata, populum ipsum absolvit, id est, arripuit atque avulsit, (quantum in se quidem fuit,) a studio veræ pietatis, ac ipsiusmet veritatis. Arripuit, inquam, atque avulsit a sinu atque custodia ipsius veri pastoris Dominis nostri Jesu Christi, projeitque recte in sentinam pristinorum abusuum atque errorum, et sub meram tyrannidem Antichristi insigni proditione posuit. Quid potest sceleratius, quid horribilius excogitari? Præsertim de homine, qui favere nostræ causæ aliquando visus est. Annon agnosces nunc, quem virum tandiu et tantopere, colueris, et

pæne ut divinum aliquod numen adoraveris? Annon desines tandem? Quum tuus ille amicus nuper sub nomine Athanasii edidisset scholia in orationem ipsius Poli, in que Evangelium vocaret [c] Semen Turcicum, Principes vero Germaniæ Turcas, tu [d] miris tergiversationibus Cardinalem defendebas; indignissimum putabas, qui ita vexaretur: quin jurabas, eum longe aliter nunc sentire, quicquid aliquando sensisse visus fuerit. At quo pacto poteris excusare, quod nunc in Anglia gessit? Adde, multorum literis nuntiari, restitutam illic fuisse statuam divo (ut ipsi inquiunt,) Thomæ Cantuariensi, proditori olim sui regis pessimo. Proh Deum inmortalem! hoc ne etiam tuus Polus potest pati? Sed Dei beneficio factum esse audio, ut nunc caput illi imagini amputatum sit, et corpus in partes [e] discerptum.

Quin adde, agi nunc in misera illa Anglia de lupanaribus etiam restituendis. Sed quidni? Quemadmodum enim umbra corpus, sic prostibula ac reliquæ fœditates ac vitia, in primis vero idola, Papatum consequuntur. Sed audi reliqua, audi quæ filius Dei non poterat legere, quin adhuc magis perhorrescat, ac intimis medullis contremiscat. Thomas Archiepiscopus Cantuariæ, una cum tribus quatuorve aliis Episcopis vere piis ac sanctis, qui justificatione [f] sola fide in Christum, gratuitamque peccatorum remissionem docuerat, exutus archiepiscopatu, et deterrimo carcere conjectus, vitam degens in tenebris, in squallore, in egestate, singulis horis gladium carnificis expectans, tum demum igne absumptus est, tyrannide certe inaudita. Joannes Hoperus Wigorniensis Episcopus, et D. Joan. Rogers, et Doctor Rolandus Taylerus, veri martyres Christi, passi sunt ignes constantissime.

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[c] [This does not appear in the Cardinal's Oration, as given by Foxe. The only allusion to the Turks is in the following passage. "Let Asia and the empire of Greece be a spectacle unto the world, who, by swerving from the unity of the church of Rome, are brought into captivity and subjection of the Turk. All stories be full of like examples. And to come unto the later time, look upon our neighbours in Germany, who, by swerving from this unity, are miserably afflicted with diversity of sects, and divided into sects. What shall I rehearse unto you the tumults and effusion of blood that hath happened there of late days? or trouble you with the rehearsal of those plagues that have happened since this innovation of religion, whereof you have felt the bitterness, and I have heard the report? Of all which matters I can say no more, but such was the misery of the time. And see how far forth this fury went. For those that live under the Turk may freely live after their conscience, and so was it not lawful here."]

[d] [mire]

[e] [disceptum]

[f] [vera]

Contra Stephanus Gardinerus falso Episcopus Wintoniensis (nam Joannes Ponetus verus illius ecclesiæ pastor, et verus servus Jesu Christi exulat) cum octo aut decem aliis Episcopis
194 impiis et sanguinariis, qui Evangelium atque ipsissimum Christum fuerant accerrime insectati, nunc sub Cardinali tuo Polo, in summo splendore, summisque divitiis et luxibus illic regnant. Ecce itaque Christum in vinculis, omni infamiæ ac tormentorum genere confectum, exutum vestibus, et tanquam ovem ductam ad macellum. Et vicissim ecce Barabbam latronem, aliisque tragicis facinoribus coopertum, liberatum, exultantem, et ferocientem. Atque ecce milites dividentes inter se spolia Christi. Ecce, inquam, ecce, ut videmus, accidere membris eademmet, quæ capiti nostro Christo acciderunt. Necesse enim est ut simus conformes imagini ejus.

In summa, Tuus Cardinalis regnat et triumphat, fruiturque honoribus fere Papalibus, fruitur actione gratiarum, gratulatione ac gloria ex tota Rom. curia atque ex omni regno hypocritarum: denique fruitur spe potiundi Pontificatus. Verum ego illi vicissim nuncio, omnes eos qui spiritum Dei sentiunt, (atque hi sunt nostra ætate plures, quam ille forte putet, et quotidie crescit numerus) cogi pejus de illo sentire, ac loqui, quam aut de ipso Julio tertio, aut de quovis alio dissolutiore ac sceleratiore Cardinale. Quandoquidem tum Antichristus ille, tum reliqui ex Cardinalium grege, aut potius armento, palam atque aperte nobiscum pugnarunt: et nunc imprimis pugnant; quia victoria Poli eos reddit insolentiores: Polus vero insidiis, ac sub prætextu pietatis. Quamobrem cum hac ætate, ac in reliqua posteritate, rasi et uncti, atque id genus hypocritarum encomiis ac laudibus illum onerabunt, celebrabuntque, omnes piorum Ecclesiæ non poterunt non queri, se tam indigne fuisse delusas ab eo. Quamquam esset id Polo utcunque ferendum, si nullam aliam pœnam experturus esset, præter dedecoris atque infamiæ sempiternæ. Alia enim manet multo gravior. O iterum illum miserum, infelicemque: Nam non multo post justis-simi Dei nostri ira et vindicta aget, aget illum præcipitem in profundum abyssi, ubi cum diabolo atque angelis ejus, sempiterno igne cruciabitur.

Illud vero hic addere opus est. Nam sedes illa Romana stulte sibi persuasit fore, ut nunc tota Germania redeat ad ejus obedientiam; scilicet, quia videt Angliam utcunque rediisse; partim circumventam multis fallaciis dolisque, partim aperte vi coactam. Quare cum audierit Comitia Augustæ celebrari, ex toto Cardinalium grege selegit Moronum, quem mitteret eo legatum, hominem, qui in agnoscenda et persequenda unitate persimilis est Card. Polo. Ab eo itaque expectandæ sunt similes fallaciæ, similis hypocrisis, atque impietas, ut non lac lacti magis simile sit: qui unum videt, alterum videt[g]. Hæc ille. His, hoc unum addendum putavi, quod hoc anno, a Xti incarnatione 1557, circa undecimum diem Februarii, Martini Buceri ac Pauli Fagii, doctissimum divinæ veritatis interpretem, cadavera, Cantabrigiæ sepulta, exhumari et comburi Polus, in mortuos ipsos etiam tyrannizans, jusserit. Similiter et corpus piissimæ matronæ, et uxoris D. Petri Martyris, Oxonii tumulatum, effodi, atque in sterquilinio sepeliri: ut insigne crudelitatis suæ exemplum posteris relinqueret.

NUMBER LXXXIII.

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[See p. 148 of this volume. The variations in Strype, which are considerable, are given as foot notes. The passages omitted by him are enclosed in brackets.]

BRADFORD TO CRANMER, RIDLEY, AND LATIMER, CONCERNING THE FREEWILLERS, ABOUT 1554.

To my deare Fathers D. Cranmer, D. Ridley, D. Latymer, Prysoners in Oxforde, for the testimonye of the Lord Iesus and hys holy Gospell. Martyrs' Letters. [pp. 357—9. Ed. 1564.]

Almightie god our heavenly father more and more kendle your hartes and affections with his love, that our greatest crosse may be to be absent from him and straungers from our home,

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[g] [This concluding passage is not given by Strype.]

and that we may godly contend more and more to please him, [h] Amen.

[As alwaies I have had great cause to praise our dere father through Christ : so me thinkes I have more and more, in seing more likely the end of my life which is due for my sinne, to be through the exceding grace of Christ a testimonye of Gods truth. Thus the lord dealeth not with every body : not that every body hath not more deserved at gods hands then I, which have deserved more vengeance then any other (I know) of my time and state : but that by me I hope the Lorde will make the riches of his grace to his glory, to be sene more excellente. With me therefore I humbly besech you al (my most deare fathers in God, to geve thankes for me, and as you doe still to pray for me that the Lord, as for his loves sake in Christe he hath begonne his good worke in me, even so of and for the same his loves sake in Christ, he would make it perfect and make me to continue to the ende, as I hope he will : for his mercy and truth endureth for ever.] As for your partes, in that it is commonly thought your staffe standeth next the dore, ye have the more cause to rejoyce and be glad, as they which shal come to [i] your fellowes under the alter : to the which societie god with you, bring me also in his mercy when it shall be his good pleasure. I have receaved many good things from you my goode Lorde, Maister, and deare father. N. Ridley, fruites I meane of your [k] gode labours. Al which I send unto you againe by this bringer : [Augustin Bernher] one thing except which he can tel, I do keep upon your further pleasure to be knowen therin. And herewithall I send unto you a little treatise whiche I have made, that you might peruse the same, and not only you, but also ye my other moste dear and reverent fathers in the lord for ever, to [l] geve to it your approbation, as ye may think good. All the prisoners hereaboutes, in maner have sene it and red it, and as therein they agree with me, nay rather with the truth : so they are ready and will be to signifie it as they shal see you geve them example. The matter may be thought not so necessary as I seme to make it. But yet if ye knew the great evill, that is like hereafter to come to the posteritie by these men, as partly this bringer can signifie unto you; surely then could ye not but be most willing to put hereto your helping handes. The which thing that I [m]might more occasion you to perceave, I have sent you a writing of Harry Hartes own hand, wherby [n]ye may see how Christes glory and grace is like to lose much light [o]if that your shepe *quondam* be not something holpen by them [p]which love God, and are hable to prove that all good is to bee attributed onely and wholye to Gods grace and mercy in Christ withoute other respect of worthines then Christes merits. The effectes of salvation they so mingle and confounde with the cause, that if it be not sene to, more hurt wil come by them, then ever came by the papistes: in as much as their life commendeth them to the worlde more then the papistes. God is my witnes that I write not thys but because I wold Gods glory and the good of hys people. In freewyl they are playn papists, yea Pelagians: and ye know that *modicum fermenti totam massam corrumpit.* They utterly contemne all learning. But hereof shall this brynger shewe you more. As to the chiefe captaynes therfore of Christes church here, I complayne of it unto you: as truelye I must doe of you 196 even unto God in the laste daye, yf ye wyl not as ye can, helpe somethyng *ut veritas doctrinæ maneat apud posteros* in this behalf, as ye have done on the behalfe of matters expugned by the papistes. God for hys mercye in Christ, guide [q]you, (my most dearely beloved fathers) wyth his holy spirite here and in all other thynges, as most maye make to his glory and the commodity of [r]his Church. Amen.

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[h] [Amen, &c.] [i] [their] [k] [godly] [l] [give your]

[This was the chefest mayntayner of mans fre wil, and enemye to Gods free grace.]

[Thys is well knowen to all those which have had to wyth them in disputations or otherwyse: for the wrytyngs and authority of the learned, they have utterly reiected and despised.]

[Upon this occasion, M. Rydley wrote a learned and godly treatise of gods election and predestination.]

All here (god therfore be praised) prepare themselves wyllyngly to pledge our captayn Christ, even when he wil, and how he will. By your good prayers we shal al fare the better, and therfore we al pray [s]you to continue to crye to God for us, as we god willing, do and wyll remember you. My bretherne here wyth me have thought it their duety to signify this nede to be no lesse than I make it, to prevente the plantations which may take roote by these men.

Yours in the Lorde
Robert Ferrar. Iohn Bradford.
Rowlande Taylor. Ihon Philpot.

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[m] [might the more] [n] [you] [o] [if your] [p] [that] [q] [you, most] [r] [the] [s] [you to cry]

NUMBER LXXXIV.

[See p. 153 of this volume. The editor has been unable to discover the original of this document.]

THE PRISONERS FOR THE GOSPEL, THEIR DECLARATION CONCERNING K. EDWARD HIS REFORMATION.

To the King and Queens most excellent Majesties, with their most honorable high court of Parlament.

Foxii MSS. We poor Prisoners for Christs religion, require your honours, in our dear Saviour Christs name, earnestly now to repent, for that you have consented of late to the unplacing of so many godly lawes, set furth touching the true religion of Christ before, by two most Noble Kings, being Father and brother to the Queens Highnes, and aggreed upon by al your consents; not without your great and many deliberations, free and open disputations, costs and paines taking in that behalf, neither without great Consultations, and conclusions, had by the greatest learned men in the realm, at Windsor, Cambridg and Oxford, neither without the most willing consent, and allowing of the same by the whole Realm throughly: So that there was not one Parish in al England, that ever desired again to have the Romish Superstitions and vaine Service, which is now by the Popish, proud, covetous clergy placed again, in contempt not only of God, al Heaven, and al the holy ghostes lessons in the blessed Bible: but also against the honors of the said two most noble Kings, against your own Country, fore aggreements, and against al the godly consciences within this realm of England and elsewhere. By reason wherof Gods great plagues must needs follow, and great unquietnes of consciences; besides al other persecutions and vexations of bodies and goods, must
197 needs ensue. Moreover we certify your honours, that since your said unplaceing of Christs true religion, and true service, and placing in the room therof Antichrists Romish Superstition, heresy and idolatry, al the true preachers have been removed, and punished, and that with such open robbery, and cruelty, as in Turkey was never used, either to their own Countrimen, or to their mortal enemies.

This therfore our humble suit is now to your honourable estates, to desire the same, for al the mercies sake of our dear and only Savior Jesus Christ, and for the duty you owe to your native Country, and to your own souls, earnestly to consider from what light to what darknes this realm is now brought, and that in the weightiest, chief and principal matter of Salvation, of al our souls and bodies everlasting, and for ever more. And even so we desire you at this your assembly, to seek some effectual reformation for the afore written most horrible deformation in this church of England. And touching your selves we desire you in like maner, that we may be called before your Honors ; and if we be not able both to prove and approve by the Catholic and Canonical rules of Christs true religion, the church Homilies and Service set furth in the most innocent K. Edwards days ; and also to disallow and reprove, by the same authorities, the Service now set furth, since his departing; then we offer our bodies, either to be immediately burned, or else to suffer whatsoever other painful and shameful death, that it shal please the King and Queens Majesties to appoint. And we think this trial and probation may be now best, either in the plain English tongue by Writing, or otherwise by disputation in the same tongue. Our Lord for his great mercy sake grant unto you al the continual assistance of his good and holy Spirit. *Amen.*

NUMBER LXXXV.

[See p. 176 of this volume. Headed by Strype, 'Ad Proceres Patresque Angliæ.' The variations in Strype are given as foot notes.]

JOHN FOXE TO THE LORDS SPIRITUAL AND TEMPORAL IN QUEEN MARIES TIME: RELATING TO THE PERSECUTION.

Ut singularis vigilantia vestra cum pari coniuncta prudentia neutiquam eget conciliis aut documentis meis, Proceres et Patres Inspiciendi, ita nihil vicissim a pudore ac verecundia mea alienius esse possit, quam summates viros ulla in re interpellare litteris. At utinam hunc naturæ affectum ut hactenus

Foxii MSS. [Harl. MSS. 417. No. 26. fol. 106. British Museum.]

perpetuo tueri liceret. Nunc vero ibi in eas difficultates, ceu inter Symplegadas incidimus ut neque obticescere sine impietate nec loqui sine periculo liceat, considerabit opinor prudentia vestra non tam quid me deceat, quam quod officij exigat ratio. quoque gravior sit ad scribendum causa, hoc faciliorem spero impetrabit veniam audacia. Ecquidem nihil addubito, [t]quin eximia autoritas vestra divinæ cujusdam potentiæ vicariam nobis imaginem [u]representans in terris, semper et egit sedulo et actura est, ut cum dignitate vestra, simul publica totius ditionis vestræ tranquilitas salusque contineatur. Quid enim [x]aliud vel ab amplissimo hoc loco expectare vel de singulari vigilantia 198 vestra suspicari convenit, quam a vobis qui patres sitis reipub: paratissima fore omnia sicubi vel auxilij fidem vel iuvandi voluntatem res communis desiderabit, ut neque facultati vestræ quicquam adijci, nec in voluntate quicquam desiderari poterit. Atque enimvero si in ijs duntaxat sita esset Reipub: administratio, quæ per se satis possent humanæ prudentiæ præsidia moderari, nimis insanire videretur, qui vos monendo instituere, hoc est solem meridianorum, luce ascititia illustrare speraret. Quanquam ne id quidem sapientia opinor vestra postulabit sibi, hujusmodi censeri vos qui non communi conditione nati cum cæteris pariter cum reliquis mortalibus etsi minus fortasse, at nonnunquam tamen labi atque exorbitare possitis Etiamsi humana forent maxime atque [y]inter proprij ingenij vires clausa quæ ageretis. Nunc vero cum omnis Reipub: gubernatio divina sit, magnaque ejus pars in Religionis versetur tractatione longe supra humanum captum ardua, ut alteram partem vobis lubenter tribuimus, ita in altera societatem aliquam consilij haud omnino estis opinor aspernaturi, præsertim cum id, non tam fiducia [z]arogantiæ aliqua facimus, quam temporis atque officij necessitate impulsi. Quis enim vos obtestor (Gravissimi Patres) ferat, quis non deploret, quem non ad gemitus, ad lachrymas pertrahat, tametsi Angliam nunquam viderit tantum in Anglia fundi Christiani sanguinis, tot cives ingenuos, tot liberales et innocentes promiscue cum fœminis viros capite ac fortunis quotidie periclitari, cædi, exuri, laniari, prope sine modo et numero.

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[t] [quum] [u] [representat] [x] [“ab” after “aliud” cancelled in the MS.] [y] [intra] [z] [sic]

Quod si [a]barbarus ex ultima turcia barbarosa, aut exteræ nationis [b]feritatis hostis aliunde irrumpens, in Angliam, tantam hanc gentis nostræ stragem designasset, haud minor fortasse calamitas, aut minor perfecto esset quærimonia. Sævitiam etsi omnino per se gravem, nationis tamen minuerit distinctio. Nunc quorum saluti apud vos potissimum esse perfugium conveniebat eosdem vos ipsi capi, exagitari, discerpi, dilacerari, Angli Anglos, Magistratus subditos, christiani christianos cernitis et [c]toleratis. Quique nuper sub Eduardi auspicatissimi Principis divino imperio florentissima tranquillitate cum [d]domini vitæ non securitate modo sed voluptate etiam utebantur, nunc [e]ijdem invertente se rerum humanarum scæna miseris cruciatibus vitam quam tueri nequerunt, deserere coguntur, non quia vita aut mores mutati ipsorum, sed quia duntaxat tempora mutata sunt. Et ubi interim ἐπιείκια illa paulina, ubi clementia vestra mitissimi Proceres, ubi inveterata illa semperque laudata etiam erga hostes, Anglorum pietas, si in vestros tam efferi tamque exitiales esse velitis? Scio ingeniorum immensam ac infinitam prope varietatem esse in mundo, apud homines non secus quam apud belluas Quidam natura mitiores, contra sunt, quos natos sævitiæ dixeris ac truculentiæ. Alij consuetudine prava hoc vitio dilectantur. Nonnulli rursus ab alijs ceu contagium accipiunt: verum utcunque alijs aliud natura insevit, certe nihil viris generosis tum proprium ac genuinum, nihil naturæ ipsorum (si naturæ tueri velint) quadrans magis, quam generosa quædam indoles ac morum ingenuitas quæ prosit omnibus, officiat nemini, nisi lacessita forte, ac ne tum quidem nisi coacta magis quam 199
sua sponte, idque magis reipub: ratione quam sua sævitia, ac ne tum quidem sui oblivisci potest generosa pietas, semper ad salutem miserorum, quam perniciem intentior, excusans, patrocinans sublevans relinquens, quo [f]misericordiæ cognoscentiæ esse locus possit. Et [g]quæ hæc nunc tanta hominum ne dicam an temporum degeneratio, in viros non improbos modo, sed innocenti, ac inculpata vita, a quibus nemo [h]nunquam læsus vestrum aut lacessitus sit, publice simul, ac privatim bonos sic

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[a] [barbari] [b] [ferus] cancelled in the MS.]
[c] [sic] [d] [domum] [f] [sic] [g] [Ecque]
[e] [" immerito" after " ijdem" [h] [unquam]

inardescere sævitiam quorundam, ut nulla sit hostium natio tam barbara, ubi non tutius conquiescant, quam apud suos. Quosdam apud priscos Romanos plus quam sontium censebatur quod civem in discrimen adduceret capitis, ubi et octo erant [i]suppliciorum genera, quorum mors ut ultima, ita nisi clarissima non indicebatur. quid quod ne tum quidem deerant etiam vitæ defensores, ac libera apud populum actio ; ex quo effectum est, ut eloquentiæ studium, tanto in honore, ac usu apud omnes [k]esset, ut urbem prope universam, ad sui contentionem excitaret, tantus in gentilitio populo, patriæ amor ac salutis cura, apud patricios vigebat viros, quorum omnis fere laus in conservandis quamplurimis [l]cernebatur. Atque istos nondum ulla Religionis imbuerat gratia, tantum natura ipsa, ac literarum humanitas ad tantam excolere potuit civilitatem. Et o brutorum iamdudum in Anglia extinctum genus quod apud Ethnicos natura quod literæ valuerunt civiles, non idem valebit pietas, non Evangelij vigor, non A Christo inculcata toties impetrabit charitas, quin ob quamlibet levem causam, aut nullam potius, ad pœnas [m]rapiantur, adeo frigescente ubique charitate, ut haud sciam, an hoc ipsum capitale futurum sit, quod pro afflictis fratribus mutire audeam, idemque in hac re eveniat, mihi, quod Justino olim pro Christianis ἀπολογῶντι qui dum pro martyribus deprecatur, fit et ipse martyr.

[i] [suppliciarum]

[k] [esse]

[l] [cerneretur]

[m] [rapiuntnr]

NUMBER LXXXVI. 200

[See p. 181 of this volume. The MS. from which Strype printed this document has not been discovered: but as it would appear that he had the original before him, (judging from the Latin quotations,) his copy is here followed, and the variations found in the Letters of the Martyrs are given as foot notes. It seems probable that the text in the Letters of the Martyrs was printed from another copy corrected by Bishop Ridley himself; as many of the variations are obviously designed.]

DR. RIDLEY LATE BISHOP OF LONDON TO WEST, FORMERLY HIS STEWARD, WHO HAD COMPLYED WITH THE ROMISH RELIGION[n].

Foxii MSS. [Letters of the Martyrs. pp. 39—43. ed. 1564.]

I wish you grace in God and love of the truth. Without the which truly established in [o]mans heart by the mighty hand of Almighty God, it is no more possible to stand by the truth in [p]Christ's cause, in the time of tribulation, then it is [q]for wax to abide the heat of the fire.

1 Joan. 2. Matth. 10.

Sir, know you this, that I am (blessed be God) persuaded that this world is but transitory, as S. John [r]saith, *Mundus transit et concupiscentia ejus.* I am persuaded Christs word to be [s]true, *Qui me confessus fuerit coram hominibus, I wil confes him before my father, which is in heaven.* And I believe that no earthly creature shal be saved, whom the Redeemer and Savior of the world shal before his Father deny. This the Lord grant that it may be so [t]grafted, established, and fixed in my heart, that neither things present, [u]or to come, high [x]or low, life [y]or death, be able to [z]remove.

It is a [a]godly wish that yee wish me depely to considre things [b]perteinyng to Gods honor and glory. But if [c]ye had wished also, that neither fear of death, or hope of worldly prosperity shuld let me to maintein gods word, and his truth, which is his glory and true honour, it wold have liked [d]me very wel.

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[n] [Heading: ¶ An Aunswer to a letter written by West sometyme his Chaplayne.]

[o] [mens hartes]

[p] [Christ in time of trouble]

[q] [for the waxe]

[r] [saith, the world passeth away and the lust therof. I am]

[s] [true, whosoever shall confesse me before men, him wil I confesse also before]

[t] [graffed]

[u] [nor]

[x] [nor]

[y] [nor]

[z] [remove me thence]

[a] [goodly]

You desire me for Gods sake to remembre my self. Indeed, Sir, now it is [e]time for me so to do. For so far as I can perceyve, it standeth [f]me of no les daunger, then of the los both of body and soule: and I trow, then it is time for a man to awake, if any thing wil awake him. He that wil not fear him, that threatneth to cast body and soule into everlasting fire, [Luk. 12.] whom wil he [g]fear? Oh Lord, fasten thou together our frayl flesh, that we never swarve from thy Lawes.

You say, you have made much sute for me. Sir, God graunt, that you have not, in sueing for my worldly deliverance, empaired or [h]hindred the furtheraunce of Gods word and his truth.

You have knowen me long indede, in the which time it hath chaunced [i]me to mislyke some things. It is true, I graunte. For sodeine chaunges without substantial and necessary [k]causes, and the heady setting furth of extremities, I did never love. Confession [l]to the minister, which is able to instruct, correct, comfort, and enform the [m]weake and ignorant [n]consciences, I have ever thought might do much good in Christs Congregation. And so I assure you I do think, even at this day.

My doctrin and my preaching, you say, you have heard [o]oft, and after your judgment, have thought it godly, saving of the Sacrament. Which thing, although it was of me reverently handled, and a great deal better than of the rest, as you say, yet in the margent you write (warily, and in this world [p]wysely) thus: *and yet methought, not [q]al soundly.* Wel, Sir,

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[b] [perteinyng unto Gods glorye]

[c] [you]

[d] [me well]

[e] [tyme so to doe]

[f] [me upon no]

[g] [feare? with this feare O Lord]

[h] [and hindered]

[i] [me (as you say) to]

[k] [cause]

[l] [unto]

[m] [weake, wounded, and]

[n] [conscience]

[o] [often]

[p] [wysely; and yet]

[q] [all sounded not well, Sir, but that I see]

but I see so many changes in [r]the world, and so much [s]alteration, or els at this your saying, I wold not a litle mervayl.
I have taken you for [t]my trustie freynd, and a man, whom I 201
[u]fantasied for plainness and faithfulnes, as much, I [x]ensure you, as for your learning. And have you kept this so close in your heart from me unto this day? Sir, I considre mo things than one; and wil not say al that I think. But what need you to care what I thynke, for any thing that I shal be able to do unto you either good or harm?

You geve me good lessons, to stand in nothing against my learning, and to beware of vain glory. Truly, Sir, [y]herein I like your counsel very wel; and by Gods grace I intend to follow it unto my lyves end.

To write to [z]them whom you name, I cannot se what it wil avayle me. For this I [a]wold now have you know it, I esteme nothing avaylable for me, which also wil [b]not set furth the glory of God.

And now because I perceive you have an entyre zeal and desire of my deliverance out of this captivitie, and worldly misery; if I shuld not bear you a good heart in God again, methynk I were to blame. Sir, how nigh the day of my dissolution and [c]departure hence out of this world is at hand, I cannot tel. The Lords wil be fulfilled. How soon soever it shal come, I know the Lords words must be verified on me, that I shal appear before the [d]uncorrupt Judge, and be countable to him of al my former lyfe. [e]Although the hope of his mercy is my shote ankor of eternal Salvation; yet am I persuaded, that whosoever willingly neglecteth and regardeth not to clear his conscience, he cannot have peace with God, nor a lyvely faith in his mercy. [f]Conscience moveth me, considering you were one of my family [g]and of my household, (of whom then I thynke I had a special care, and of all them which [h]were in my house, which indede ought to have been an example of godlines to al the rest of my cure, not only [i]in godly life, but also in promoting of Gods word, to thuttermost of their power: [k]But now alas! when the trial doth separate [l]the corn from the chaff, how smal a deyl it is God knoweth, which the wynde doth not blow away :) This conscience, I say, doth move me [m]to have fear, lest the lightnes of my family shal be [n]layd unto me, for lack of more earnest and diligent [o]instructions, which shuld have been done. But blessed be God, which hath geven me grace to se my default, and to lament it from the bottome of my heart, before my departure hence. This Conscience [p]also doth move me now to require both you, and my freynd Dr. Harvy, to remembre your promises made to me in [q]time past, of the pure setting furth and preaching of Gods word and his truth. These promises, although you shal not nede to fear to be charged with them of me hereafter before the world ; Yet look for none other, I exhort you as my freynds, but to be charged with them at Gods hand.

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[r] [this]

[s] [alteration, els]

[t] [my frend]

[u] [fansied]

[x] [assure]

[y] [I herein like]

[z] [those]

[a] [would have you know that I esteme]

[b] [not further the glory]

[c] [department]

[d] [incorrupt]

[e] [and although]

[f] [conscience therefore moveth]

[g] [and one of]

This Conscience, and the love that I bear unto you, byddeth me now say [r]to you both in Gods name; Fear God, and love not the world; for God is able to cast both body and soul into
Psal. 2. hel fire[s]. *Cum exarserit in brevi ira ejus, beati omnes,* saith
1 Joan. 2. the Psalme, *qui confidunt in eo.* And the saying of S. John is [t]true, *Quicquid est in mundo, veluti concupiscentia carnis, et concupiscentia oculorum, et fastus vitæ, non ex patre, sed ex mundo est. Et mundus transit, et concupiscentia ejus. Qui autem facit voluntatem Dei manet in æternum.* If these gifts of grace, which undoubtedly are necessarily required unto eternal

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[h] [within]

[i] [of good life]

[k] [but (alas) now]

[l] [the chaffe from the corne]

[m] [to fear]

[n] [layd to my charge]

[o] [instruction]

[p] [doth move me also]

[q] [times]

[r] [unto]

[s] [fire. When his wrath shal sodenly be kindled, blessed are al they that put their trust in him. And the]

[t] [true, al that is in the world, as the lust of the flesh, and lust of the eies and the pryde of life, is not of the father, but of the world, and the world passeth away and the lust thereof, but he that doth the wyl of god abideth for euer. If this gift of grace, which undoubtedly is necessarily]

salvation, were truly and unfeignedly [u]grafted, and firmely stablished in mens hearts, they wold not be so light, so sodaynly 202 to shrink from the maintenance and confession of the truth, [x]as it is now, alas! seen so manifestly, of so many in these dayes.

But here peradventure ye wold know of me, what is the truth. Sir, Gods word is the truth, as S. John saith, and it is [Joh. 17.] even the same that was heretofore. For albeit man doth vary [Eccl. 27.] and chaunge, as the Moon, yet Gods word is stable and [y]abydeth for evermore. And of Christ it is truly [z]said, *Christus heri et* Heb. 13. *hodie, idem etiam in secula.*

When I was in office, al, that were [a]esteemed for learned men in Gods word, aggreed this to be a truth in Gods word written: that the Common [b]prayers of the Church shuld be had in the common tongue. You know I have conferred with many, and I ensure you, I never found man, so far as I do remembre, neyther old nor new, Gospeller [c]or Papist, of what judgment soever he was, in this thing to be of a contrary opinion. If then it were a truth of Gods word, think you, that the Alteration of the world can make [d]it now an untruth? If it cannot, [e]why do men, so many, shrink from the confession and maintenance of this truth, [f]once received of us al? For what is it, I pray you, else to confes or deny Christ in this world, [g]but to confes and maintain the truth taught in Gods word, [h]nor for any worldly respect to shrynke from the same? This [i]one have I [k]brought but for an example. Other things be in like case, which now particularly I nede not to rehearse. For he that wil forsake wittingly, eyther for fear or gain of the world, any one open truth of Gods word, if he be [l]strayned, he wil assuredly forsake God and al his truth, rather then he wil endaunger hymself eyther to loose, or to leave that he loveth [m]indede better, then he doth God and the truth of his word.

[u] [graffed]

[x] [as is]

[y] [abydeth one for]

[z] [said, Christ yesterday and to day, the same is also for ever. When]

[a] [esteemed learned in]

[b] [prayer]

[c] [nor]

[d] [it an]

[e] [why then doe so many men]

[f] [receyved once]

[g] [but to maintayne]

[h] [or]

[i] [one thyng have]

[k] [brought for an ensample.]

[l] [constrained]

[m] [better indeede]

I [n]lyke therin very wel, your plain speaking, wherin you say; I must eyther aggree or dy: and I [o]thynk you mean of the bodily death, which is common both to good and bad. Sir, I know I must dy, whether I aggree, or no. But what folly were it then to make such an aggreement, by the which I could never escape this death, which is so common to al; and [p]also I might incur the guilt [q]of eternal death and damnation?

Lord graunt, that I may utterly abhor and detest this damnable aggreement so long as I lyve.

And because I dare say, you wrot of frendship [r]to me this short ernest advertisement, and I think verily wyshing me to lyve, and not to dy: Therfore bearing you in my heart no less love in God, than you do me in the world; I say to [s]you *In verbo Domini,* that except you, (and this I say to you I say to al my frends and lovers in God) [t]except ye confes and mainteyn, to your power and knowledge, [u]thyngs which be grounded upon Gods word, but wil eyther for fear, or gayn of the world, shrynke and play the *Apostata,* indede you shal dy the death. You [x]understand what I mean. And I beseech you, and al my true freynds and lovers in God, remembre what I say. For this [y]peradventure may be the last time, that ever I shal write [z]to you. From Bocardo in Oxenford, theighth day of [a]April, anno 1554.

[b]Yours in Christ,
Nicolas Rydley.

[n] [like very wel]

[o] [thynke that you]

[p] [also incurre]

[q] [of death and eternall]

[r] [unto]

[s] [you in the worde of the lorde, (and that I say]

[t] [that if you do not confesse]

[u] [that which is grounded]

[x] [know]

[y] [may be the laste tyme peradventure]

[z] [unto]

[a] [April, 1554.]

[b] [the words "Yours in Christ" omitted. The signature merely N.R.]

[NUMBER LXXXVI*.

[See p. 67 of this volume.]

To my deare Brother in the Lord Mayster Rychard Hopkyns and his wyfe dwellyng in Couentrye, and other my faithfull bretherne and systers, professours of gods holye Gospel there and theraboutes. Letters of the Martyrs. Ed. 1564. pp. 345. 354.

The peace which Christe lefte to hys churche and to everye true member of the same, the holye spirite the guide of Gods *Iohn.* 14. *Rom.* 8. chyldren, so engrafte in youre harte and in the harte of youre good wyfe, and of all my good bretherne and systers aboute you, that unfaynedlye ye maye in respecte thereof, contempne all worldlye peace, whyche is contrarye to that peace that I speake of, and dryveth it utterlye oute of the hartes of all those, whiche woulde parche them both together. For we cannot serve two maisters: no man can serve God and mammon: Christes peace *Math.* 6. cannot bee kepte with this worldes peace. God therfore of hys mercy doe I beseche, to geve unto you his peace which passeth all understandyng, and so kepe your hartes and mynds, that *Phil.* 4. they may be pure habitacles and mansions for the holye spirite, yea for the blessed trinitie, who hathe promised to come and dwell in all them that love Chryste and keepe hys sayenges. *Iohn.* 14.

My dearely beloved, the tyme is nowe come wherein tryall is made of men that have professed to love Chryste, and woulde have beene counted kepers of hys testimonyes. But weale awaye, the tenthe person persevereth not: the more parte doe pacte stakes wythe the papistes and protestantes, so that they are become maungye Mongrelles, to the infectynge of all that company wyth them, and to theyr no small peryll. For they pretend outwardly popery, goyng to Masse with the papistes and tarying with them personallye at theyr Antichristian and idolatrous The Mongrels excuse. servyce: but with their harts (say they) and wyth theyr spirites *Math.* 8. they serve the lorde. And so by this meanes as they serve theyr pygges which they would not lose, I meane their worldlye pelfe, so they would please the protestantes and bee counted wyth them for gospellers, yea mary would they. But mine owne beloved Company not with mongrels. in the Lord, flee from such persones as from men most perilous

Mongrels are false both to god and man.

God wil have the whole service of soule and body. He made both. He kepeth both. He redemed both.

Apoc. 18.
1 *Pet.* 2.
Hebr. 6. 10.
Math. 12.
Luke 11.

Mongrels sinne againste their owne consciences.

The onely cause why mongrels goe to Masse, is to avoyde the crosse.

1 *Cor.* 10.
Acts 5.
Deut. 12.

Math. 8.

and pernicious bothe before God and man; for they are false to bothe, and true to neyther. To the magistrates they are false, pretendyng one thyng and meanyng cleane contrary. To god they are most untrue geving him but a peese, whych shoulde have the whole. I woulde they woulde tell me, who made their bodyes. Dyd not God, as well as their spirites and soules? And who kepeth bothe? Dothe not he still? And alas, shall not he have the service of the body, but it must be geven to serve the new found god of Antichristes invention? Dyd not Christe bye both our soules and bodies? And wherwith? wyth any lesse pryce then wyth hys precious blood? All wretches then that we be, if we wyll defyle either parte with the rose coloured whore of Babylons fylthye Masse abhomination. It had ben better for us never to have bene washed, then so to wallow our selves in the fylthy puddle of popery. It had been better never to have knowen the truth, then thus to betray it. Surely, surelye, let such men feare that their later ende be not worse than the begynnyng. Their owne conscience now accuseth them before god (yf so be they have any conscience) that they are but dissemblers and hypocrites to God and man. For all the clokes they make, they cannot avoyde this, but that their going to church and to Masse, is of selfe love: that is, they go thether because they would avoyde the crosse. They go thether because they woulde be out of trouble. They seke neither the Quenes highnes nor her lawes, which in thys poynte cannot bynde the conscience to obey, because they are contrary to gods lawes, which bid us often to flee Idolatrye and worshipping hym after mens devises: they seke neither (I say) the lawes (if there were anye) neyther theyr brethernes commoditie (for none commeth therby) neyther godlines or good example (for there can be none found in goyng to Masse &c. but horrible offences and woe to them that geve them) but they seeke their owne selves, their own ease, theyr escapyng the crosse &c. when they have made all the excuses they can, theyr own conscience wyll accuse them of this, that their goying to church is onely because they seeke themselves. For yf there woulde no trouble ensue for taryeng awaye, I appeale to their conscience, woulde they come thether? Never I dare say.

Therfore (as I sayd) they seke themselves, they would not cary the crosse. And hereof their own conscience (if they have any conscience) doth accuse them. Now if their conscience accuse them at this present, what will it doe before the iudgemente seate of Christe? who wyl then excuse it, when Christ shall appeare in judgement, and shall begynne to be ashamed of them then, which now here are ashamed of him. Who then (I say) wyll excuse these Masse gospellers consciences? wyll the quenes hyghnes? She shal then have more to do for her selfe, then without harty and spedye repentaunce she can ever be able to aunswer, though Peter, Paule, Marye, James, John the Pope and all hys Prelates take her parte, with all the syngyng Syr Johns that ever were, are, and shall be? Wyll the Lorde Chauncellour and prelates of the realme excuse them there? Nay, nay, they are like then to smarte for it so sore as I would not bee in theyr places for all the whole world. Wil the lawes of the realme, the nobilitie, gentlemen, Justices of peace &c. excuse oure gospell Massemongers conscience there? Nay, God knoweth they can do little there but quake and feare for the heavy vengeaunce of God lyke to fall uppon them. Will their goodes, landes and possessions, the which they by theyr dissemblyng have saved, wyl these serve to excuse them? No, no, god is no merchaunte, as our Masse priestes be. Will Masses or trentals and such trash serve? No verily the haunters of thys geare then shall be horribly ashamed. Wyll the Catholike church excuse them? Nay it wyll most of all accuse them, as will all the good fathers, Patriarkes, Apostles, Prophetes, Martyrs confessors and saintes, with all the good Doctors, and good general counsels, al these alredy condemne the Masse and al that ever useth it as it is now, beyng of all idoles that ever was, the most abhominable and blasphemous to Christ and hys priesthode, manhode and sacrifice: for it maketh the prieste that sayth Masse, gods fellow and better then Christ, for the offerer is alwayes better or equivalent to the thyng offred. If therfore the priest take upon him there to offer up Christ, as they boldly affyrme they do, then must he nedes be better, or equal with Christ. Oh that they would shew but one iote of the scripture of god calling them to this dignitie, or of their authority to offer up Christ for the quicke and dead, and to apply the benefyt and vertue of his death and passion to whom they wyll. Surely if

Luke 9. 12. *Mark* 8.

The most abhomination on earth is the Masse. The Masse priest is Christes fellow.

Heb. 5.

The Masse priestes frendship is better then Christes.

The Masse priest is above god, for he can make god.

Math. 24.

Acts 3.
Rom. 8.
Hebr. 7.
Hebr. 9.
1 *Thess.* 5.

Luke 21.

Apo. 6.

John 12.

The word of god shall be our judge.
1 *Cor.* x.
1 *Cor.* 6.

Heb. 7. 9. 10.

this were true, as it is most false and blasphemous, prate they at their pleasure to the contrarye, then it made no matter at all, whether Christe were our frende or no, if so be the Masse priest were our frende: for he can apply us Christes merites by his Masse if he wyll, and when he wil, and therfore we nede litle to care for Christes frendship. They can make hym when they will and where they wyll Loe heare he is, there he is saye they, but beleve them not saith Christ, beleve them not, beleve them not sayth he. For in hys humane nature and body, which was made of the substaunce of the virgins body and not of breade, in thys body (I say) he is and sitteth on the right hand of God the father almighty in heaven, from whence and not from the pixe, shal he come to iudge both the quicke and dead. In the meane season heaven saith S. Peter must receive him. And as Paule saith, he prayeth for us, and now is not sene elsewhere or otherwise sene then by fayth there, until he shalbe sene as he is, to the salvation of them that loke for hys comming, which I trust be not farre of. For if the day of the Lord drew nere in the Apostles time, which is now above xv.C. yeres past, it cannot be (I trust) long hence now: I trust our redemers comming is at hande. Then thes Masse sayers and seers shall shake and cry to the hylles hyde us from the fearce wrathe of the Lambe, if they repente not in tyme. Then wyll neither gold nor goodes, frendeshippe: nor fellowship, lordeship nor authoritye, power nor pleasure, unity nor antiquity, custome nor counsel, Doctours, decrees nor any mans devise serve. The woorde whyche the Lorde hathe spoken, in that daye shall iudge, the worde (I say) of god in that daye shall iudge. And what sayeth it of Idolatrye and idolaters? Sayeth it not flee from it? And further, that they shall bee dampned? Oh terrible sentence to all Massemongers, and worshippers of thynges made with the handes of Bakers, Carpenters &c. Thys worde of God knoweth no moe oblations or sacrifices for synne, but one onely which Christe hymselfe offered never more to bee reoffered, but in remembraunce thereof hys supper to be eaten sacramentallye and spiritually accordyng to Christes institution: whyche is so perverted now that there is nothyng in it symply according to the iudge, I meane the worde of God. It were good for men to agree with their adversary the worde of god now whyleste they bee in the waye wyth it, leste yf they linger, it wil deliver them to the iudge Christe, who wyll commytte them to the Jaylor, and so they shall be cast into pryson, and never come out thence til they have payde the uttermost farthyng, that is never.

Math. 5.
In all thynges harken to the worde of god as dyd the Thes. Act. 15.

My dearely beloved, therfore marke the worde harken to the worde: it alloweth no Massyng, no suche sacrificyng nor worshyppyng of Christe wyth tapers, candels, copes, canapies, &c. It alloweth no Latyne service no images in the Temples, no prayeng to Sainctes dead, no prayinge for the deade. It alloweth no such dissimulation as a greate many use nowe outwardelye. If anye wythdrawe hym selfe my soule, sayeth the holye Ghoste, shall have no pleasure in hym. It alloweth not the love of thys worlde, whiche maketh men to doe many tymes agaynst their consciences: for in them that love the world, the love of God abydeth not. It alloweth not gatherers elsewhere then wyth Chryste, but sayeth they scatter abroade. It alloweth no luke warme gentlemen: but yf God be God, then followe hym, yf Baal and a peece of breade be God, then followe it. It alloweth not faythe in the harte that hath not confession in the mouthe. It alloweth no Disciples that wyl not denye themselves, that wyl not take up theyr crosse and follow Chryst. It alloweth not the seeking of ourselves, or of our owne ease and commodity. It alloweth not the more parte but the better part. It alloweth not unity except it be in verity. It alloweth no obedience to any which cannot be done without disobedience to God. It alloweth no churche that is not the spouse of Chryste and harkeneth not to hys voyce only. It alloweth no doctor that speaketh against it. It alloweth no generall counsayle that followeth not in all thynges. *Summa*, it alloweth no aungel, much more than, any such as should teach any other thing then Moses, the Prophets, Christ Jesus and his Apostles have taught and lefte us to loke upon in the written worde of god the holy bookes of the Byble, but curseth al that teach not only contrary, but also any other doctrine. It sayth they are fooles, unwise, proude, that will not consent to the sounde worde and doctrine of Christ and his Apostles, and byddeth and commaundeth us to flee from such.

Heb. 10.
i *Iohn.* 2.
Math. 12.
Apo. 3.
3 *Reg.* 18.
Rom. 10.
Math. 16.
Mark 8.
Luke 9. 14.
Phil. 2.
Math. 7. 20.
Rom. 16.
Acts. 4. 5.
Ephesi. 5.
John. 10.
Galat. 1.
1. *Timot.* 6.
Math. 7.
Jeremy 8.
Rom. 16.

Therfore obey this commaundement, company not wyth them specially in their church service, but flee from them; for in what thyng consent they to Christs doctrine? He biddeth us praye in a tounge to edify: they commaund contrary. He biddeth us cal uppon hys father in hys name when we pray: they bidde us runne to Mary, Peter, &c. He byddeth us use his supper in the remembraunce of hys death and passion, preachyng it out tyll it come, whereby he dothe us to witte, that corporally he is not there in the forme of bread: therefore sayeth Paule *tyll he come.* He willeth us to eate of that bread, callyng it breade after consecration, and drynke of that cup all, makyng no exception so that we do it worthely; that is take it as the sacrament of his body and blood broken and shed for our sinnes, and not as the body it self and blood it selfe wythout bread, wythout wyne, but as the sacramente of hys bodye and blood, whereby he dothe represent and unto our faythe geve and obsigne unto us, hymself wholy with all the merites and glory of hys body and bloode. But they forbid utterly the use of the supper to all but to their shavelinges, except it be once in the yeare, and then also the cup they take from us: they never preach forth the lordes death but in mockes and moes. They take away all the Sacrament by their transubstantiation, for they take away the element and so the sacrament. To be short they most horribly abuse thys holy ordinaunce of the Lord, by adoration, reservation, oblation, ostentation, &c. In nothyng they are contented with the symplicity of gods word. They adde to and take fro at their pleasure, and therefore the plagues of God wyll fall upon them at the lengthe, and upon all that wyll take theyr parte. They seke not Christ nor hys glory for you see they utterly have cast away his word, and therefore (as the prophet saith) there is no wisedome in them. They follow the strompet church and baudie spouse of Antichrist, which they cal the catholike church, whose foundation and pillers is the devil and his daughter the masse, with his children the pope and his prelates. Their lawes are craft and crueltie: their weapons are lying and murther: their end and studye is their own glory, fame, wealth, rest and possessions. For if a man speake nor do nothing against these, thoughe he be a Sodomite, an adulterer, an usurer, &c. it forceth not, he shall bee quiet enough, no man shall trouble him. But if any one speake any thing to Gods glory, which cannot stand without the over-

1 *Cor.* 14.
Math. 6.
Ioan. 14. 15.
Math. 26.
Luke. 22.
1 *Cor.* 11.

The fruits that follow the worthye receivyng of the Lordes supper.

Transubstantiation taketh away the sacrament.

Apoc. 22.
Iohn. 5.

Ieremy. 8.
Deut. 4.
Apoc. 18.

throw of mans glory: then shall he be disquieted, imprisoned and troubled, except he will play mumme and put his finger upon hys mouth, although the same be a most quiet and godly man. So that easely a man may see how that they be Antichrists church, and sworne souldiers to the pope and his spouse, and not to Christ and his church, for then would they not cast away gods word, then would they be no more adversaryes to his glory, which chiefly consisteth in obedience to hys word. Therfore my deare hartes in the Lord, seme not to allow this or any part of the pelfe of thys Romishe churche and Sinagoge of Sathan. Halt not on both knees, for halting will bring you out of the way: but like valiaunte champions of the Lorde confesse, confesse I say, with your mouth as occasion serveth, and as your vocation requireth, the hope and fayth you have and fele in your harte.

Iob. 31.
3. *Reg.* 18.
Hebr. 12.
Mat. 10. 16.
Mark 8.
Luk. 9. 14.
2 *Timo.* 3.
Rom. 10.
1 *Pet.* 3.

But you wil say that so to do is perillous, you shal by that meanes lose your libertie, your landes, your goodes, your frends, your name, your life &c. and so shall your children be left in miserable state &c. To this I answere my good brethren, that you have professed in baptisme to fighte under the standard of your captaine Christ, and will you now for perils sake leave your lorde? You made a solempne vow that you would forsake the world, and wil you be forsworne and runne to embrace it now? You sware and promised to leave al and folow Christ, and wil you now leave him for your father, your mother, your children, your lands, your life? &c. He that hateth not these saith Christ, is not worthy of me. He that forsaketh not these and himself also, and withal taketh not up his crosse and followeth him, the same shal bee none of his Disciples. Therfore eyther byd Christ adew, be forsworne, and runne to the devill quicke, or els say as a Christian shoulde say, that wife, children, goods life &c. are not to deare unto you in respect of Christ, who is your portion and enheritaunce. Let the worldlynges which have no hope of eternall lyfe, feare perilles of losse of landes, goodes, lyfe &c. Here is not oure home, we are here but pilgrymes and straungers: thys lyfe is but the deserte and wildernesse to the lande of reste. We looke for a citye whose woorkeman is God hym selfe. We are nowe

Mat. 16. 19.
Mat. 10.
Marke. 8.
Luke. 9.
[c]*Æct.* 20.
Psal. 119.
Psal. 49.
Heb. 11. 12.
Psa. 119. 39.
Heb. 11.
Psal. 120.
Job. 9.

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[c] [sic]

Psal. 90. *Job.* 5. 2 *Cor.* 5. *Rom.* 8. *Phil.* 1. *Math.* 7. *Luke.* 13. 2 *Cor.* 4. *John* 16. *Math.* 25. dwellers in the tentes of Cedar. We are nowe in warrefare, in travayle and labour whereto we were borne as the byrde to flye. We sorrow and syghe desiryng the dissolution of our bodyes, and the puttynge of corruption that we myght put on incorruption. The waye we walke in is straite and narrowe and therefore not easie to our enemye the corrupte fleshe: but yet we must walke on, for yf we harken to oure enemye, we shall bee served not frendly. Let them walke the wyde way that are ruled by their enemyes: let us bee ruled by our frendes and walke the straite waye whose end is weall, as the other is woe. The tyme of our suffering is but short, as the time of their ease is not long: but the tyme of our reioysing shall be endles, as the tyme of their tormentes shal be ever and intollerable. Our *Rom.* 8. breakfaste is sharpe, but oure supper is swete. The afflictions of thys life may not be compared in any part to the glory that 2. *Timot.*[d] 3. shal be reveyled unto us. Thys is certayn, if we suffer with Christ, we shall reygne with hym: if we confesse hym, he will *Mat.* 10. confesse us, and that before hys father in heaven and al hys *Math.* 25. *Apo.* 7. 14. 19. 20. 21. 1 *Cor.* 2. *Esay.* 64. Aungells and Sainctes saying, Come ye blessed of my Father possesse the kingdome prepared for you from the beginnyng. There shall be ioye, myrthe, pleasure, solace, melodye, and all kynde of beatitude and felicitie, such as the eye hath not sene, the eare hath not heard, nor the harte of man is able in any poynte to conceave it as it is. In respecte of thys and of the *Heb.* 12. ioye set before us, should we not runne our race thoughe it be somthyng roughe? Did not Moses so, the Prophets so, Christ so, the Apostles so, the Martyrs so, and the confessors so? *Psal.* 36. They were dronken with the swetenes of this geare, and therfore they contempned al that man and devils could do to them. *Psa.* 84. 41. 63. Their soules thirsted after the lord and his tabernacles, and therefore their lives and goods were not to dere to them. Read the 11. to the Hebrues, and the .2. of the Machabees, the *Act.* 14. 2 *Timo.* 3. .7. Chapt. and let us go the same way, that is by many tribulations. Let us labour to enter into the kingdome of heaven: for al that wil live godly in Christ Jesu must suffer persecution.

Thinke therefore the crosse, if it come for confession of 1. *Pet.* 4. Christ, no straunge thing to gods children: but rather take it as the Lords medicine by the which he helpeth oure infirmities and setteth forth his glory. Our sinnes have deserved crosse upon crosse: now if god geve us his cross to suffer for his truth and confessing him, as he doth by it bury our sinnes: so doth he glorifye us, makinge us like to Christe here, that we may be like unto him elswhere: for if we be pertakers of the affliction, we shal be partakers of the consolation: if we be like in ignominye, we shal be like in glory. Greate cause we have to geve thankes to god for lending us libertie, lands, goodes, wife, children, life &c. thus long: so that we shall bee giltie of ingratitude, if he now shall come and take the same away, except we be chearefull and content. God hath geven and God hath taken away, sayth Iob, as it pleaseth the lord so be it done. And should not we doe thys, especiallye when the Lord taketh these away of love to trye us, and prove us whether we be faithful lovers or strompets, that is whether we love him better than his gifts or otherwise? This is a truth of all truthes to be layd up in our hartes, that that is not loste which semeth so to be for the confession of christ. In this life your children shall finde gods plentiful blessyng upon them when you are gone and all your goods taken away. God is so good that he helpeth the young Ravens before they can flye, and feedeth them when their dammes have most unkindly lefte them: and trowe ye that God which is the God of the wydowes and fatherlesse children, will not speciallye have a care for the babes of hys deare Sainctes whiche dye or lose any thyng for conscience to hym? Oh my dearely beloved, therfore looke up with the eyes of fayth. Consider not things presente but rather things to come. Be content nowe to goe whether God shal girde and lead us. Let us now cast our selves wholy into his hands with our wives, children, and al that ever we have. Let us be sure the heares of our heade are numbred, so that one heare shall not peryshe without the good will of our dere father, who hath commaunded his Angels to pitche their tentes about us, and in their hands to take and hold us up, that we shal not hurt as much as our foote against a stone. Let us use earnest prayer: let us hartely repent: let us harken diligently to gods word: let us kepe our selves pure from all uncleanesse both of spirite and body: let us flee from all evil and al ap-

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[d] [The right reference is 2 Tim. 2. 12.]

Psalm. 18.
Rom. 8.
2. *Cor.* 1.
1. *Cor.* 15.
Iob. 1.
Deut. 13.
read the historye of the widow. 4. reg. 4.
Psal. 37.
Psal. 147.
Psa. 68.
2 *Cor.* 4.
Iohn. 21.
1. *Pet.* 5.
Psa. 55.
Math. 6.
Luke 12.
Math. 10.
Psal. 94.
Ephesi. 6.
Luke 13.
Deut. 6.
1. *Cor.* 7.
1 *Thess.* 5.
Matth. 25.
1. *Timo.* 5.
Rom. 12.
Rom. 16.

pearance of evill: let us be diligent in our vocation and in doing good to al men, especially to them that be of the housholde of fayth: let us live in peace with al men as muche as is in us. And the Lorde of peace geve us hys peace and that for ever more, Amen. I praye you remember me youre poore afflicted brother in your hartye prayers to god. This .2. of September.

Iohn Brdford.[e]

NUMBER LXXXVII.

[See p. 195 of this volume.]

JOHN HOPTON BISHOP OF NORWICH, TO THE EARL OF SUSSEX, GIVING ACCOUNT OF THE JOY CONCEIVED, AND TE DEUM SUNG, FOR THE NEWS OF THE QUEENS BEING BROUGHT TO BED OF A NOBLE PRINCE[f].

Cotton Library. Titus B. 2. fol. 160 [British Museum. Original.]

Ryghtt honorable and my singuler good Lorde. After myne humble comendacions, wyth lyke thankes for your honorable and gentle lettres[g] send to me towchynge the behaviour of the Curate of olde Bokenham and the reformacion of other enormytyes there, It may plese you tunderstond That I did sende ymedyatlie for the sayde Curate the churchewardeyns and the questmen there. And uppon their appearance wyth xij or xiiij of the most substancyall men of the parryshe, and upon due examinacion I coude perceyve noon other thyng but all thynges to be well and decentlye ordered and provyded for at thys hooly tyme of eastre, contrarye to the informacion gyven to your good Lordshyppe. And yf there had been anything amys they shulde have been punyshed according to theyr demerytes, beseeching your good Lordshippe, yf any further knowledg come to you ayther for that towne or any other concerning the reformacion of my Jurisdiction or the negligence of myne Offycers that I may be advertysed therof, and have your favorable ayde and assystance and I shall doo the best I cann for my dyscharge.

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[e] [sic]

[f] [Endorsed, To his ryght honorable and syngular goode lorde my lorde Therle of Sussex in haste.]

[g] [sic]

And where yt pleased youre honorable lordshipe to wylle me to take a Dynner, or a supper with you in the tyme of my Vysytation, I humblie thank you therfor, moost hartelye, beseeching your Lordshipe whan occasion shall serve you to vysyte thys Cytye, that ye wyl vouchesafe to take thys my poore house at your commaundment whereunto your Lordshipe shalbe as welcoome as to your owne.

Further, I undrestond that Mr. Mayre here hath certyfyed your lordshipe of the sodein good newes brought to us by one of the Cytye of the Quenes highnes moost ioyfull Deliverance of a nooble prince. wherupon to laude God Te Deum was solempnlye songen in the Cathedrall Churche and other places of the Cytye, with woonderfull ioye and muche gladnes of all people throughe owte all thoole Cytye and the countrye therabowtes. And yf ye have any further knowledge therof, I beseche your honorable lordshipe, that I maye be partaker of the same by thys brynger, my servante, whom I sende purposelye therfor, as knoweth tholy Goost, who preserve your Lordshipe in contynuall helthe and honor. At Norwich, the thred of Maye 1555.

Your L. assuredlie
John Norwyche[h].

Postscripta. I receyved even now knowledge from a freend of mine of two wyttenes more of the goode and joyfull newes above wrytten as this sayde brynger cann declare to your goode lordeshyppe.

John Norwych.

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[h] [The signature and postscript are probably autograph. The rest is in another hand.]

NUMBER LXXXVIII.

[See page 201 of this volume. The Latin document is that which is among the MSS. of Corpus Christi College, Camb. Of the English version, which alone is given by Strype, and here inserted in a parallel column, the original has not been discovered. The first paragraph is given in Latin by Strype, and exactly agrees with that in the C. C. C. MS.]

A PROPOSITION IN THE CONVOCATION AGAINST RESIDENCE. WITH REASONS FOR THE SAID PROPOSITION; AND REMEDIES AGAINST NON-RESIDENCE.

C. C. C. C. Libr. Synodalia. [MS. cxxi. p. 5, k.]

DECRETUM perpetue residentie juxta canonum sanctiones optant pii, sed multa sunt que hodie impediunt quo minus suum effectum juxta bonorum virorum vota consequatur.

	The Reasons.
PRIMUM Statuta regni a summo pontifice (quod audimus) non improbata permittunt regni baronibus et aliis [i]magnatibus certum numerum sacerdotum curam animarum habentium.	I. The Statutes of the Kingdome, not disallowed, as we hear, by the Pope, do permit to the Barons, and other great men of the kingdome, a certain number of Priests, having cure of souls.
NON solum regni statuta sed et canones permittunt episcopis certum numerum synergorum qui ipsis assistant.	II. Not only the Statutes of the kingdom, but the Canons do permit Bishops a certain number of fellow workers, to assist them.
EPISCOPI et prelati qui propter insignem doctrinam, spectatam prudentiam, vitæ integritatem, summamque fidem, in consiliarios regios allecti sunt quorumque consilia reli-	III. Bishops and Prelates, who by reason of their great learning, prudence, integrity of life, and high faith, are chosen to be the Kings Counsillors, and whose counsils are

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[i] "Magistratibus" before "magnatibus" cancelled.

gioni restituende [k]opido sunt necessaria, non videntur adigendi ad perpetuam residenam.

Cum barones et alii magnates, doctrina, probitate, et etate, venerabilium virorum, adhortatione frequenti, in orthodoxa fide retineantur non videntur ejusmodi viri ab eis arcendi, dum modo bonam anni partem in ecclesiis suis resideant.

Cum quibusdam presbiteris ob morum et vite meritum, duplicis aut triplicis sacerdotii dispensatio ab antecedentibus principibus sit concessa, non possunt citra injuriam privari, nec tamen in omnibus personaliter ac perpetuo possunt residere.

Cum plerique filios suos academiis destinent, et in illis erudiendis non mediocres sumptus tollerent: quum bona spes eos foveat, futurum aliquando ut propinquis et cognatis suis subsidio et adjumento sint: hac spe sublata refrigescet eorum in hac re studium, jam alioqui satis frigidum Nam (ut ille

very necessary for the restoring of religion, ought not, as it seems, to be compelled to perpetual Residence.

IV. When the Barons and other great men may be retained in the orthodox faith, by the doctrin, honesty, age and frequent exhortations of Reverend men, it seems not convenient, that such men should be driven from them; provided they do reside a good part of the year upon their Churches.

V. Since the Dispensation of two or three benefices hath been granted by former Princes to some Priests, for the merit of their life and maners, they cannot without injury be deprived of them; Nor yet can they in al respects reside personally and perpetually.

VI. When many have designed their sons for the Universities, and have been at no small charges to give them learning, because they have entertained good hope, that they might hereafter be assistant to their friends and relations: this hope being gone, their care about this matter wil also grow

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[k] sic.

dixit) ubi non est honor ibi nec ars.	cold, otherwise of it self cold enough. For as he said, *Where there is no honor, there is no Art.*
Rectoriarum edes pluribus in locis sunt dirute aut nulle [l]vell indenturis locate.	VII. The houses of the Rectories in many places are either ruined, or none at al, or let out by Indentures.
Profectio ad curiam Romanam.	Going to the Court of *Rome.*
Profectio ad generale [m]consilium.	Going to a General Councel.
Profectio ad sinodum aut parliamentum.	Going to a Synod, or Parlament.
Violenta detentio.	Violent detaining.

Remedia	*Remedies.*
Ut minor numerus sit eorum qui aulam sectantur sacerdotia sacerdotiis accumulantes.	That there be a les number of those that follow the Court, who heap up benefices upon benefices.
Ut qui pluribus aucti sunt sacerdotiis, certo tempore in singulis resideant.	That they who have many Benefices, reside a certain time upon each.
Ut ratio inveniatur qua [n]opidani adigantur ad persolvendas X^{as} personales, quibus jam fere sublatis sacerdotia urbana magna ex parte sunt accisa.	That a way may be found, whereby such as live in Towns and Cities may be forced to pay Personal tiths. Which being now almost quite taken away, the Benefices in such places are in a great part lessened.

[l] sic.

[m] sic.

[n] sic.

[o] i. e. decimas.

Cum nonnullis episcoporum propter tenues eorum possessiones cooperariis presbyteris stipendia suppeditare non valeant: Ut qui ipsis in inserviunt certo anni tempore in parochiis suis resideant.	When some of the Bishops, by reason of the slendernes of their possessions, cannot afford Stipends to the Priests, their fellow laborers, that they who serve them reside for a certain time of the year in their own parishes.
Ut rectores qui olim pensiones persolverunt monasteriis in pecunia numerata, jam non cogantur easdem solvere in frugibus Laicis proprietariis.	That Rectors, who heretofore have payd pensions to Monasteries in ready mony, be not now compelled to pay the same in bread-corn to Lay proprietors.
Ut in regionibus silvestribus, ubi mos semper obtinuit, silvarum ceduarum X^{e} solvantur presertim cum frugum in hujusmodi regionibus magna sit inopia.	That in Woody places, where the custome hath alwayes obtained, tith may be payd of *Sylvæ cœduæ* [that is, Wood that is cut to grow again,] especially when there is a great scarcity of corn in such places.
Parochie non sunt distincte jure divino, Unde ut possint plura beneficia in unum redigi, ita unum pro magnitudine sua poterit in duo partiri.	Parishes are not divided *jure divino.* Whence followeth, that as many Benefices may be layd into one, so one, by reason of the greatnes of it, may be divided into two.

NUMBER LXXXVIII*.

[See pp. 209, 214 of this volume. This document was first published in the Oxford Edition (1812) of the present work. The editor there quotes the following account of it from archdeacon Todd. "It contains a copy of the official dispatch of Dr. Brokes, bishop of Gloucester, to the cardinal de Puteo, at Rouen, to whom the bishop was subdelegate in the proceedings against abp. Cranmer, (the care of which had been consigned to the cardinal by the pope) and is authenticated in the usual manner by notarial attestation. The document fortunately supplies also what has hitherto been a chasm in our ecclesiastical history. For Mr. Strype, after noticing that witnesses were sworn to deliver their testimony against the archbishop, adds, 'I know not what the depositions of these witnesses were, given in against him the next day; for Foxe relates nothing of them, nor any other, as I know of. Memorials of Archbishop Cranmer, book iii. chap. xix.' These depositions are found in this Processus." The MS. has been collated for the present edition, and literally copied.]

PROCESSUS contra THOMAM CRANMER Cantuar' Archiepiscopum. A.D. 1555[p].

Lambeth MSS. mcxxxvi.

REVERENDISSIMO in Christo patri et domino domino Jacobo miseracione divina tituli sancte Marie in via sacrosancte romane ecclesie Presbitero Cardinali de puteo nuncupato causeque et causis ac partibus infrascriptis Judice ac commissario a Sanctissimo domino nostro Papa specialiter deputato, seu alii vestro in hac parte Surrogato sive surrogando cuicunque, Vester humilis Jacobus permissione divina Glocestrensis Episcopus ac vestre Reverendissime paternitatis immo verius sanctissimi domini nostri pape vigore literarum commissionalium presentibus annex' Commissarius sive Subdelegatus sufficienter et legitime deputatus omnimodas obediencias et reverencias tanto Reverendissimo patri ac sedi apostolice debitas cum omni subjectionis honore, Ad noticiam vestram deducimus et deduci volumus vestreque Reverendissime paternitati significamus et certificamus per presentes Quod die lune nono viz. die mensis Septembris Anno Domini millesimo quingentesimo quinquagesimo quinto Indictione decima tercia Pontificatus Sanctissimi in Christo patris et domini nostri domini Pauli divina providentia Pape quarti Anno primo. In ecclesia parochiali dive Virginis Marie in Oxonia in providi et circumspecti viri magistri Johannis Clerk sedis apostolice auctoritate Notarii publici et testium in actis hujus diei ut inferius statim apparebit presenciis Coram nobis ad effectum infrascriptum judicialiter et pro tribunali sedentibus, Comparens et personaliter constitutus preclarus et venerabilis [q] ver magister Johannes Story legum doctor quasdam literas vestras commissionales vestre paternitatis Reverendissime immo verius apostolicas presentibus annex' Sigillo vestro cera rubea impressa in quadam alba lignea capsula inclusa cum filis sive cordulis rubei coloris pendentibus sigillatas ac signo nomine et subscripcione providi viri Claudii Badii clerici Bismitin' diocesis publici auctoritate apostolica et imperiali notarii et scribe vestri ut apparuit in hac parte specialiter assumpti munitas et subscriptas, non viciatas non rasas non abolitas non cancellatas nec in aliqua sui parte suspectas, sed sanas et integras ac omni vicio et sinistra suspicione carentes, nobis directas et per partem Illustrissimorum serenissimorumque Philippi et Marie Anglie Regis et Regine in ipsis literis commissionalibus nominat' ex parte dicti sanctissimi domini nostri Pape et vestra realiter presentavit Post quarum literarum commissionalium presentacionem nobis et recepcionem per nos humiliter factas, ipsisque per dominum Christoferum Smythe apostolice sedis auctoritate notarium publicum usque ad subscripcionem notarii in eisdem exclusive tunc ibidem publice perlectis, per prefatum venerabilem virum magistrum Johannem Story fuimus debite requisiti, quatenus onus execucionis earundem in nos assumere et acceptare, ipsasque exequi dignaremur. post cujus requisicionem sic ut premittitur nobis factam ob honorem et reverenciam 2 sacrosancte sedis apostolice et paternitatis vestre reverendissime onus execucionis earundem in nos assumpsimus atque juxta vim formam tenorem et effectum earundem procedendum fore decrevimus Prenominatumque magistrum Johannem Clerk Notarium publicum in nostrum et actorum nostrorum agendorumque et expediendorum per nos et coram nobis in causa et causis inferius descriptis ac inter partes infranominatas scribam assumpsimus deputavimus et constituimus Quo facto Egregius vir magister Thomas Martyn legum doctor exhibuit procuratorium suum a serenissimis Philippo et Maria Anglie Rege et Regina sibi et dicto venerabili viro magistro Johanni Story ac Davido Lewis conjunctim et divisim in hac parte concessis ac Sigillo magno eorundem Serenissimorum et illustrissimorum Regis et Regine in cera crocei coloris sigillatis, lectoque procuratorio hujusmodi de mandato nostro Prenominatus venerabilis vir magister Thomas Martin exhibens ut prefertur procuratorium suum pro dictis illustrissimis Rege et Regina fecit se partem pro eisdem et dedit articulos ex parte ipsorum serenissimorum dominorum Regis et Regine contra prefatum dominum Thomam Cranmerum propositos et conceptos una cum scedula eisdem articulis annexa etiam libros dedit in ipsis articulis mencionatos et in margine eorundem specificatos, petiitque procurator hujusmodi quatenus dignaremur decernere dictum dominum Thomam Cranmerum se Archiepiscopum Cantuar' pretendentem citandum fore ad comparendum coram nobis die Jovis prox' tunc sequente duodecimo viz. die dicti mensis Septembris in ecclesia predicta hora octava ante meridiem ad respondendum et procedi videndum contra eum juxta tenorem dicte commissionis sive subdelegacionis et ad objiciendum contra articulos et cetera predicta contra eum in hac parte modo premisso exhibita si voluerit. Ad cujus quidem procuratoris peticionem quia justa nobis videbatur ac juri et racioni consona decrevimus ipsum Thomam Cranmerum citandum juxta peticionem procuratoris predicti Quo facto prefatum Christoferum Smythe publicum apostolica auctoritate notarium in nostrum mandatarium in hac parte cum potestate citandi certificandi et exequendi dictam citacionem et quemcunque alium processum et ad alia facienda ad mandatarii officium spectantia deputavimus et admisimus ipsumque Christoferum notarium publicum et mandatarium nostrum hujusmodi de fideliter exequendo referendo et certificando et de ejus officio in ea parte juste exercendo juramento ad sancta Dei evangelia oneravimus et juravimus Deinde vero articulos predictos et contenta in eiisdem per dictum Christoferum Smythe notarium publicum publice in judicio perlegi fecimus, necnon prenominatum domi-

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[p] [This is on the cover in a modern hand. At the bottom of folio i, is the following entry: "July 23. 1766. This MS. was presented to the MS. Library at Lambeth by Mr. Geo. Perry F. S. A."]

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[q] [sic in MS.]

num Johannem Clerk notarium publicum ac scribam nostrum
predictum ad conficiendum Instrumentum seu Instrumenta
publica unum vel plura de et super premissis omnibus et sin-
gulis per nos et coram nobis istis die et loco qualitercumque
habitis et factis mandavimus et eundem ad sic conficiendum ac
testes infranominatos inde testimonium perhibere prefatus ma- 3
gister Thomas Martyn instanter requisivit Presentibus tunc
ibidem venerabilibus viris Richardo Marshall Commissario Uni-
versitatis predicte, Waltero Wright legum doctore Archidiacono
Oxon', Arthuro Cole sacre theologie baccalario preside Collegii
dive Magdalene in eadem universitate, Richardo Cawdewell in
medicinis doctore, Henrico Joilyff sacre theologie baccalario
Thoma Pygott et Edmundo Powell armigeris cum multis aliis
ad numerum ducentarum personarum et ultra Tenor vero
procuratorii illustrissimorum Philippi et Marie Regis et Regine
predictorum de quo superius fit mencio per prefatum venerabi-
lem virum magistrum Thomam Martyn procuratorem in eodem
nominatum ut prefertur productum et exhibitum sequitur et
est talis UNIVERSIS pateat per presentes quod nos Philippus
et Maria Dei gracia Anglie Francie Neapolis Jerusalem et
Hibernie Rex et Regina, fidei defensores principes Hispaniarum
et Cicilie Archiduces Austrie duces Mediolani Burgundie et
Brabancie Comites Haspurgi Flandrie et Tirolis dilectos nobis
in Christo Thomam Martyn Johannem Story et Davidum
Lewis legum doctores absentes tanquam presentes omnibus
melioribus et efficacioribus modo via et forma conjunctim et
eorum quemlibet per se divisim et insolidum Ita quod non sit
melior condicio occupantis nec deterior subsequentis, sed quod
unus eorum inceperit id ipsorum quilibet per se libere prosequi
valeat mediare pariter et finire nostros veros legitimos et indu-
bitatos procuratores, actores factores negociorumque nostrorum
gestores et nuncios speciales nominamus ordinamus facimus et
constituimus per presentes, damusque et concedimus eisdem
procuratoribus nostris conjunctim ut prefertur et eorum cuili-
bet per se divisim et insolidis[a] potestatem generalem et man-
datum speciale ita quod specialitas generalitati non deroget nec
econtra pro et nominibus nostris coram reverendis in Christo
patribus Wigornien' et Glocestren' Episcopis ac Decano Lon-

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[a] [qu. ?]

donien' et Archidiacono Cantuar' seu coram eorum tribus duo-
bus sive uno Reverendissimi in Christo patris et domini domini
Jacobi miseracione divina tituli sancte Marie in via sacrosancte
romane ecclesie presbiteri Cardinalis de puteo nuncupat' sanc-
tissimi in Christo patris et domini nostri domini Pauli divina
providentia illius nominis pape quarti in causa et causis heresim
aliaque enormia crimina in quibus Thomas Cranmerus nuper
metropolitane ecclesie Cant' Archiepiscopus assertus sit prolap-
sus sapientibus, per nos nostrisque vice et nominibus contra ip-
sum Thomam Archiepiscopum pretensum mota et motis indeci-
sis adhuc penden' Commissarii sive Judicis delegati subdelegatis
sive Commissariis sufficienter et legitime deputatis, comparendi
absenciamque nostram quoad personalem [r] comparicionem in
omnibus excusandi ac causam et causas absencie nostre si opus
fuerit allegandi proponendi et probandi ac fidem faciendi super
eisdem, literasque commissionales remissorial' sive subdelegato-
rum prefati Reverendissimi Jacobi Cardinalis ac Judicis dele-
gati sive commissarii antedicti realiter producend' ostendendi et
exhibendi Necnon articulos capitula posiciones sive Interroga-
4 toria ac alias materias objectiones allegaciones seu peticiones
quascunque verbo vel in scriptis dandi faciendi ministrandi pro-
ponendi et exhibendi posicionibus et articulis excepcionibusque
exadversis fiendis respondendi et suis responderi petendi viden-
dique Juramentum quodcunque licitum et honestum ac de jure
in hac parte requisitum in animas nostras prestandi subeundi et
jurandi Testes literas et instrumenta ac alia quecunque pro-
bacionum genera producendi ostendendi et exhibendi producta-
que et exhibita exadverso reprobandi et impugnandi crimina et
defectus objiciendi et objectis respondendi decreta quecunque
fieri decernique petendi et obtinendi, Alium insuper procurato-
rem sive procuratores loco eorum seu eorum alicujus substitu-
endi ac substitutum sive substitutos hujusmodi revocandi pro-
curatorisque officium in se reassumendi quotiens et quando id
eis seu eorum alicui melius videbitur expedire Ceteraque om-
nia et singula faciendi exercendi et expediendi que in premissis
aut circa ea necessaria fuerint seu quomodolibet oportuna etiam
si mandatum de se magis exigant speciale quam superius est
expressum Et promittimus nos ratos gratos et firmos perpetuo

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[r] [sic in MS.]

habituros totum et quicquid dicti procuratores nostri seu eorum aliquis fecerit in premissis aut aliquo premissorum sub ypotheca et obligacione omnium bonorum nostrorum et in ea parte caucionem exponimus per presentes. Dat' sub magno sigillo nostro apud honorium nostrum de Hamtoncorte Londonien' diocesis xxiiij^{to} die mensis Augusti anno Domini millesimo quingentesimo quinquagesimo quinto ac annis regnorum nostrorum secundo et tercio. ADVENIENTE verò dicto die Jovis xij^{o}. viz. die predicti mensis Septembris Annoque Domini indictione et pontificatu predictis Coram nobis prefato Jacobo Glocestren' Episcopo ac Judice Subdelegato sive Commissario supranominato in ecclesia parochiali dive Virginis Marie superius specificata loco in hac parte assignato et deputato judicialiter et pro tribunali sedenti in prenominati magistri Johannis Clerk Notarii publici et Scribe nostri predicti presentia prefatus venerabilis vir magister Thomas Martyn exsuperhabundanti exhibuit procuratorium suum predictum pro illustrissimis Rege et Regina predictis et se partem fecit pro eisdem ac eorum nomine procuratorio mandatum nostrum citatorium contra dictum dominum Thomam Cranmerum modo superius specificato per nos decretum et sub sigillo nostro emanatum una cum certificatorio in dorso ejusdem sub Instrumento publico de et super execucione ejusdem per prenominatum Christoferum Smythe notarium publicum et mandatarium nostrum predictum die et loco ac sub modo et forma in eodem certificatorio specificatis et contentis concepto ac signis et subscripcionibus tam prefati domini Johannis Clerk auctoritate apostolica notarii publici et scribe nostri predicti quam etiam dicti Christoferi Smythe eadem etiam auctoritate apostolica notarii publici nostrique in hac parte Mandatarii specialiter ut prefertur deputati admissi et jurati consignatum et subscriptum ac nostro sigillo etiam sigillatum 5
realiter exhibuit et contra prefatum dominum Thomam Cranmerum tunc in judicio personaliter presentem ex parte dictorum serenissimorum dominorum Philippi et Marie Regis et Regine predict' ac procuratorio nomine pro eisdem denuo dedit articulos prius ut prefertur per eum coram nobis datos et porrectos atque in partem et subsidium probacionis articulorum hujusmodi et contentorum in eisdem exhibuit libros mencionatos in dictis articulis vestre reverendissime paternitati origina-

liter una cum presentibus transmissos. qui quidem libri atque articuli ac Subdelegatio et mandatum nostrum citatorium predicti in eorum formis originalibus tempore execucionis nostri hujusmodi mandati citatorii eidem Thome publice ostensi ac ipsi seu saltem vere copie collacionate eorundem ac signo et nomine prefati domini Johannis Clerk notarii publici nostrique actorum scribe antedicti [s] signat' eidem domino Thome Cranmero de facto realiter tradite fuerunt et penes eum dimisse prout ex tenore certificatorii dicti nostri mandati citatorii plenius ac manifeste liquet et apparet, In presentia ejusdem domini Thome Cranmer personaliter ut prefertur presentis et comparentis ac primo et ante omnia protestantis quod per suam comparicionem aut per aliqua per eum dicta seu dicenda gesta vel gerenda seu aliquo modo per eum facta seu fienda non intendit consentire in nos Subdelegatum sive commissarium antedictum aut in aliquem alium auctoritate domini Pape seu romani pontificis fulgentem tanquam in judicem sibi in hac parte (ut asseruit) competentem seu aliquo pacto admittere aliquam auctoritatem dicti romani pontificis, asserendo et constanter affirmando eundem romanum pontificem nullum in hoc regno habere seu habere debuisse aut debere auctoritatem seu potestatem quodque ex eo etiam ipsius romani pontificis auctoritatem ut prefertur admittere non intendit pro eo quod alias prestitit juramentum contrarium (ut asseruit) Henrico tunc Anglie illius nominis Regi octavo viz. de renunciando romano pontifici et de admittendo et acceptando eundem Regem Henricum octavum pro supremo capite ecclesie Anglicane et protestabatur ulterius se paratum esse ad respondendum coram quocumque Judice potestatem auctoritatem seu commissionem dictorum illustrissimorum Regis et Regine habente. Idemque dominus Thomas Cranmerus tunc incontinenti ibidem multis variisque modis ac verbis suis nephariis famosis et protervis publicè in judicio dixit opposuit et objecit contra auctoritatem potestatemque dicti domini nostri Pape et romani pontificis et inter cetera audacter et sine pudore aut verecundia asserendo ipsum romanum pontificem per leges et canones suos non solum pervertisse et pervertere leges hujus regni Anglie sed etiam sacras scripturas et leges divinas, etiam asserendo et constanter affirmando inter cetera Christum in eucharistia spiritualiter tantum et non corporaliter esse sed in corpore in celo tantum esse et non alibi, asseruitque quod casu quo papam sive romanum pontificem mo- 6 dernum imitari contigerit vestigia predecessorum suorum romanorum pontificum aut si ejus auctoritate potestate et legibus in Regnis et dominiis aliorum principum uti contigerit quod per hoc perverteret et destrueret tam leges divinas quam etiam leges Regum et in hoc utitur (ut asseruit) vice antechristi et pro antechristo et Christi adversario censeri deberet ac etiam addendo asseruit et publice affirmavit, quod quisquis receperit seu admiserit auctoritatem domini pape seu romani pontificis in hoc Anglie Regno adversaretur et Deo et corone Anglie atque eo facto excommunicatus est Ulteriusque asseruit et publice dixit prefatus Thomas Cranmerus nos Subdelegatum ac Commissarium predictum nullo modo fuisse aut esse judicem sibi in hac parte competentem sed incompetentem et perjurum eo quod admisimus auctoritatem romani pontificis et eo quod juramentum alias prestituimus contrarium viz. de renunciando auctoritati ejusdem romani pontificis ac de acceptando et admittendo prenominatum Regem Henricum octavum pro supremo capite Ecclesie Anglicane, Et quia dictus dominus Cranmerus negavit romanum pontificem esse supremum caput Ecclesie Christi Ideo interrogatus per prefatum procuratorem dominorum Regis et Regine, quisnam tunc (ejus judicio et opinione) caput esset ecclesie, hujusmodi respondebat, Regem quemcumque in Regno suo, et cum dictus procurator replicavit dicens ergo Nero qui interfecit Petrum, caput fuit ecclesie Christi ipse dominus Cranmerus affirmavit eundem Neronem sic fuisse caput ecclesie Christi et etiam Turcam sue ecclesie caput esse. Deinde prenominatus venerabilis vir magister Thomas Martyn procurator antedictus in subsidium probacionis contentorum in dictis articulis exhibuit quoddam instrumentum publicum manu propria magistri Richardi Watkyns notarii publici ut apparuit subscriptum et ejus signo ut apparuit signatum continens in se inter cetera tenorem juramenti fidelitatis obediencie per ipsum Thomam Cranmerum tempore ejus prefectionis sive consecracionis in Archiepiscopum Cant' beato Petro et sedi apostolice ac domino nostro Pape Clementi ejusque successoribus Romanis pontificibus prestiti, petiitque procurator predictus memoratum dominum Tho-

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[s] [" signat" interlined.]

mam Cranmerum per nos juramento onerari de fideliter respondendo tam dictis articulis et scedule annex' quam etiam ceteris per eum superius respective exhibitis in presencia ejusdem domini Thome Cranmeri recusantis subire juramentum hujusmodi pro eo ut asseruit quod nos procedimus in hac parte auctoritate romani pontificis. Ceterum salvis protestacionibus suis previis et etiam sub protestacione quod non intendebat respondere nobis Subdelegato predicto, sed prefato magistro Thome Martyn procuratori antedicto tunc incontinenti Idem Thomas Cranmerus dictis articulis omnibus et singulis
7 superius ut prefertur contra [t] eum datis et objectis ad peticionem prefati magistri Thome Martyn procuratoris predicti et de mandato nostro tam Latine quam Anglice plene et articulatim ac publice perlectis et declaratis sceduleque dictis articulis annexe et ceteris exhibitis antedictis absque tamen aliquo juramento deliberate et constanter coram nobis in publico judicio pro tribunali sedentibus respondebat ut sequitur AD primum articulum respondet se recepisse bullas a Curia romana et a romano pontifice pro recepcione Archiepiscopatus Cantuar' quas bullas (ut asseruit) obtulit dicto tunc Regi Henrico octavo et ab eodem Rege et ejus auctoritate (ut etiam asseruit) eundem Archiepiscopatum recepit Et aliter negat hunc articulum esse verum AD secundum fatetur contenta in eodem esse vera AD tercium fatetur se acceptasse et duxisse mulierem in uxorem, postquam recepit sacrum ordinem sacerdotalem et circa viginti annos post mortem prime uxoris sue. Et aliter hunc articulum negat esse verum AD quartum fatetur contenta in eodem esse vera AD quintum fatetur se secrete tenuisse dictam mulierem secundo per eum acceptam quousque per statuta et leges hujus Regni Anglie (ut asseruit) ei licitum fuit habere uxorem et quod tunc eam publice tenuit et ab eadem plures proles habuit Et aliter negat articulum hujusmodi AD vj fatetur eundem esse verum tamen sine pudore aut verecundia ut dicit AD septimum fatetur se edidisse librum in hac parte exhibitum et in articulo mencionatum vocatum A defense of the true and catholicke feithe etc. et negat se edidisse librum in eodem articulo etiam mencionatum vocatum A discourse of Peter Martir etc. et quoad tercium librum vocatum A discourse

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[t] ["eum" interilned.]

of the Lords supper etc. negat se illum edidisse tamen credit
quod hujusmodi liber est bonus et catholicus, et quoad cathechismum
et articulos in eodem fatetur se adhibuisse ejus consilium
circa edicionem ejusdem et quoad librum vocatum An
aunswer of the moste Reuerende father in God etc. fatetur se
edidisse illam partem ejusdem libri que continet ejus responsa
ad librum editum per Reverendum patrem Winton' Episcopum,
AD octavum respondet se nunquam coegisse aliquos hujusmodi
articulis subscribere tamen dicit quod plures clericorum provincie
Cant' eisdem articulis voluntarie subscripserunt, quorum
subscripciones recepit ut dicit Et aliter negat articulum hujusmodi
AD nonum fatetur quod a turri London' ad Academiam
Oxon' ductus fuit. Et aliter negat contenta in eodem, AD
decimum fatetur se pro viribus defendisse libros et articulos
mencionatos in hoc articulo (et in loco articulato) et contenta
in eisdem Et aliter negat AD undecimum fatetur sentenciam
de facto fuisse contra eum latam eo quod defendebat libros
et articulos predictos et tamen dicit quod in illis libris et articulis
non sunt hereses alique contente Et aliter respondet
negative AD duodecimum respondet quod recessit ab auctoritate
romani pontificis, et aliis (quantum potuit) persuasit ut sic
recederent propter enormitates illic (ut dixit) regnantes tamen
per hoc dicit eum non esse schismaticum nec per hoc recessisse
ab ecclesia catholica Et aliter credit hunc articulum non esse
verum in aliquo AD decimum tercium et scedulam fatetur se 8
prestitisse juramentum obediencie prout continetur in scedula
huic articulo annexa tamen hoc fecit (ut asseruit) sub protestacione
in Instrumento publico ut prefertur in hac parte exhibito
contenta, et non aliter. AD xiiij respondet et fatetur se recessisse
(ut prefertur) ab auctoritate romani pontificis et aliis sic
recedere persuasit, hoc tamen (ut dicit) non fecit ante legem
inde factam auctoritate parliamenti Anglie Et etiam dicit quod
post leges hujusmodi et earum auctoritate consecravit episcopos
et cetera fecit que ante legem hujusmodi factam ad romanum
pontificem pertinebant et que per ipsum romanum pontificem
antea fieri solebant: Et aliter negat. AD xv respondet
quod ante recepcionem romani pontificis auctoritatem et ante
reconciliacionem nuperrime in hoc Anglie regno factam hoc
regnum in bono statu remansit, atque maxime optat quod modo

in eodem statu remaneret Et fatebatur (ut prius) se recessisse ab auctoritate romani pontificis et quod non intendit ad illam auctoritatem redire vel eandem aliquo modo admittere ut dicit. AD ultimum negat contenta in eodem aliter esse vera quam superius respondebat ut dicit, Ac incontinenti (responsionibus predicti domini Thome Cranmeri modo premisso publice et judicialiter factis receptis et conscriptis) dictus venerabilis vir magister Thomas Martyn procurator predictus ac nomine procuratorio quo supra acceptavit responsa superius facta et contenta in eisdem quatenus faciunt pro parte et intencione dictorum illustrissimorum dominorum suorum atque super articulis et exhibitis predictis produxit venerabiles viros magistros Willelmum Tresham Richardum Marshall Richardum Smythe et Richardum Croke sacre theologie doctores Jacobum Curtopp Robertum Warde Georgium London et Robertum Serles in testes quos nos ad peticionem procuratoris hujusmodi in testes admisimus et in forma jurandorum testium tactis per eos sacrosanctis scripturis de fideliter deponendo et de dicendo omnem et meram veritatem cum fuerint examinati in hac parte de et super premissis super quibus modo premisso producti fuerunt omni amicicia favore affectione odio [u] timore et displicentia postpositis et semotis juxta formam modum et morem in simili testium admissione et juramenti prestacione solit' et consuet' et in hac parte de jure requisit' jurari fecimus In presentia dicti domini Thome Cranmeri sub ejus protestacionibus previis allegantis quod dicti testes nullo modo in hac parte sunt testes idonei nec eisdem fides aliqua in hac parte fuit aut est (ut asseruit) adhibenda pro eo ut etiam asseruit sunt perjuri in eo quod subierunt juramentum domino Regi Anglie tanquam supremo capiti ac modo contra hujusmodi juramentum ut prefertur per eos prestitum admiserunt auctoritatem romani pontificis Et tunc idem dominus Thomas interrogatus an velit aliquibus aliis excepcionibus uti contra testes predictos seu aliqua interrogatoria contra eos ministrare respondebat quod noluit nec ulterius aliquid in hac parte dicere proponere vel objicere Super quibus omnibus et singulis modo premisso dicto duodecimo die Septembris ac anno Domini Indictione pontificatuque et loco antedictis habitis factisque et expeditis prefatum dominum

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[u] ["timore" interlined.]

Johannem Clerk notarium publicum ac nostrum in hac parte actorum scribam predictum mandavimus eundemque dictus magister Thomas Martyn procurator antedictus et procuratorio nomine predicto ad conficiend' Instrumentum sive Instrumenta publicum seu publica ac testes infranominatos tunc presentes inde testimonium perhibitur' instanter rogavit et requisivit Presentibus tunc ibidem venerabilibus viris Waltero Wright legum doctore Archidiacono Oxon' Will'mo Tresham Richardo Marshall Richardo Smythe publico [x]prelectore sacre theologie in eadem academia et Richardo Croke sacre theologie professoribus Arthuro Cole sacre theologie baccalario ac preside Collegii dive Magdalene in Oxonia Richardo Cawdewell in medicinis doctore Roberto Morwent sacre theologie baccalario preside Collegii vulgo Anglice dict' Oriell Colledge, Mauricio Bullock artium magistro vicegardiano Novi Collegii Winton' in Oxon' Richardo Busshop artium magistro Griffino Willyams in legibus baccalario Philippo Randall principali Aule Cervine Oxon' Will'mo Hawarden sacre theologie baccalario principali Collegii enei nasi vocat' brase nose, et Georgio Edrigio artium magistro ac publico Grecarum literarum prelectore Ac Johanne Pollarde Thoma Pygott et Edmundo Powell armigeris cum multitudine copiosa tam clericorum et scolarium dicte Universitatis quam etiam laicorum ad numerum quadringentarum personarum et ultra existen' Postremo vero decimo tercio die dicti mensis Septembris Anno Domini Indictioneque ac anno pontificatus supradictis In quadam superiori camera sive pergula gardiani Collegii novi, dicte universitatis In presentia prefati domini Johannis Clerk notarii publici ac scribe nostri predicti etiam presentibus Thoma Owen in legibus baccalario et Christofero Smythe notariis publicis London' commoran' testes infranominatos ut prefertur productos et juratos examinavimus eorumque testium dicta et depositiones seriatim sequuntur et sunt tales.

RICHARDUS CROKE sacre theologie doctor in Universitate Cantabrigie sexaginta sex vel quinque annorum libere ut dicit condicionis de noticia partium examinatus dicit quod novit prefatum Thomam Cranmerum circiter triginta sex annos, Reginam Mariam a bimatu Regem Philippum ex quo venit in Angliam viz. circiter annum AD primum se-

[x] [Here occurs an erasure, written over with flourishes.]

cundum tercium quartum quintum sextum septimum octavum et nonum respondet quod credit articulos veros esse et omnia in eis contenta quodque de eisdem fama laborat per universum Regnum Anglie et in multis etiam partibus transmarinis Et aliter nescit deponere. AD decimum dicit articulum esse verum quia ipse personaliter disputacioni predicte in publica scola theologica Oxon' facte interfuit Ad undecimum dicit articulum esse verum ipse enim presens erat in ecclesia parochiali dive Virginis Marie Oxon' quando decretum in articulo specificatum adversus eundem Thomam pronunciatum fuit AD duodecimum respondet articulum esse verum excepto eo quod iste deponens certo affirmare non potest quod prefatus Thomas Cranmer aliquos per vim coegerit et compulerit ad renunciandum auctoritati sedis apostolice quanquam et 10 illud publice a fidedignis audivit. Dicit insuper quod prefatus Cranmer multos seduxerit non tantum ab auctoritate ecclesie Romane sed etiam a veritate in multis aliis fidei catholice articulis Et aliter nescit deponere ad articulum predictum. AD decimumtercium dicit quod audivit ipsum Cranmerum publice confitentem se in consecracione sua prestitisse sacrum obediencie summo pontifici Et aliter nescit deponere in articulo predicto. AD decimumquartum dicit et deponit ut supra. Dicit insuper quod prefatus Cranmer pro Archiepiscopo Cant' se gerens consecravit et transtulit complures in Anglie episcopos viz. consecravit quendam doctorem Poynett in Winton' Ep'm et quendam Coverdale in Ep'm Exon' et quendam Johannem Hoper in Ep'm Gloucestr' et quod transtulit quendam doctorem Rydley a Roffen' in Londonien' episcopatum. AD xv dicit articulum esse verum quia heri audivit eum publice detestantem auctoritatem pape et apostolice sedis Et aliter nescit deponere. AD xvj dicit famam de premissis divulgatam esse per universum regnum Anglie. ROBERTUS WARDE artium magister et publicus philosophie in Academia Oxon' prelector quadraginta vel circiter annorum testis ut prefertur productus et juratus libere condicionis interrogatus de noticia personarum dicit quod novit Regem Philippum ab eo tempore quo primum appulit in Anglia hoc est per integrum annum et ultra Mariam Reginam ab inicio Regni Edwardi sexti viz. circiter novem annos Thomam Cranmerum per duodecim annos vel circiter

novit AD primum secundum tercium quartum quintum et sextum dicit quod credit articulos veros esse et omnia in eis contenta quia sepius publice audivit contenta in eisdem vera esse tam Oxonie quam alibi in multis Anglie partibus, AD septimum dicit quod credit prefatum Thomam vix adeo eruditum ut possit ipse, ejus proprio ingenio hujusmodi libros componere certo tamen scit ejus nomine et auctoritate eos circumferri ipsumque Thomam dixisse libros predictos seu saltem plurimos ex illis fuisse proprio ingenio confectos et ut suos agnovisse, et quod novit ipsum Thomam sepius defendisse plurimas hereses in libris predictis contentas in publicis disputacionibus Oxonie habitis in quibus iste deponens publico certamine contra dictum Thomam congressus est Et aliter nescit deponere. AD octavum credit esse verum quia publice a fidedignis audivit Et aliter nescit AD nonum dicit esse verum quia vidit quum prefatus Thomas Oxoniam primum a Londino ductus est et in aliis credit articulum esse verum AD decimum dicit articulum esse verum quia interfuit disputacionibus predict' et in eisdem disputacionibus eidem Thome publice respondebat dum predict' hereses pro viribus confirmare satageret, AD undecimum dicit articulum verum esse ipse enim interfuit in ede dive Marie Oxon' quum decretum in articulo specificatum contra prefatum Thomam Cranmerum et duos alios publice legeretur per Doctorem Weston AD xij dicit quod credit esse verum quia publice et sepius a fidedignis audivit AD xiij dicit verum esse quia vidit publicum instrumentum super Juramento predicto confectum publice contra eundem Thomam exhibitum Et aliter nescit. 11
AD xiiij dicit quod prefatus Thomas Cranmerus consecravit in episcopos Johannem Hooper in Gloucestren' Milonem Couerdale in Exonien' Hugonem Holbache et postea quendam doctorem Taylor in episcopos Lincoln' et insuper quod consecravit doctorem Rydley in Roffens' episcopum quem postea transtulit ad episcopatum Londoniensem et in aliis credit articulum esse verum, AD xv dicit verum esse quia heri viz. xij° Septembris audivit eum animo obstinato contempnentem primatum Romane ecclesie et insuper protestantem se nolle aliquo pacto in eundem consentire AD xvj dicit [y]famam de premissis publice divulga-

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[y] [“famam” interlined.]

tam esse tam Oxonie quam alibi in Anglia, ROBERTUS SERLES sacre theologie baccalaurius in Universitate Oxon' commorans lx^{ta}. annorum vel circiter libere ut dicit condicionis testis ut prefertur productus et juratus de noticia partium examinatus dicit quod novit Regem Philippum a tempore adventus sui in Angliam viz. per annum aut circiter ac Reginam Mariam per triginta annos vel circiter Thomam Cranmerum circiter viginti annos AD primum secundum tercium quartum quintum, sextum septimum octavum et nonum dicit quod credit articulos veros esse et omnia contenta in eisdem quia eadem publice audivit tam Oxonie quam in aliis hujus regni Anglie partibus et aliter nescit deponere AD decimum dicit quod ipse presens personaliter non interfuit publice disputacioni habite Oxon' cum prefato Thoma Cranmer, credit tamen articulum per omnia verum esse quia publica (ut asserit) per universum Anglie Regnum fama erat et est ipseque a nonnullis fidedignis qui disputacioni predicte intererant personaliter audivit prefatum Cranmerum in academia predicta publica disputacione libros et articulos suos predictos pro viribus defendisse tandemque convictum et [z]exhibilatum a multis fuisse et aliter nescit deponere AD undecimum dicit similiter quod credit et ex frequenti fidedignorum relacione audivit omnia et singula in articulo contenta vera esse Et aliter nescit deponere AD xij dicit quod credit dictum Thomam fuisse et esse notorium scismaticum et hereticum quia sepius audivit eundem tam privatim quam publice multas impias et execrandas hereses docentem efferentem et pertinaciter defendentem et quod idem deponens circa id temporis quo Ecclesia Anglicana primum cepit desistere ab auctoritate pape et sedis apostolice fuit vicarius de Lenham diocesis et provinc' Cantuar' et ideo tum subjectus seu saltem publice habitus pro subjecto jurisdictioni prefati Thome Cranmeri, qui tum publice pro episcopo Cant' se gessit Et quod ab ipso Thoma Cranmero seu saltem ab ejus Cancellario (mandatum et auctoritatem regiam in ea parte habere pretendente) idem deponens inductus et compulsus sit ad renunciandum auctoritati domini Pape et ad prestandum juramentum contra eundem et
12 contra sedem apostolicam Dicit insuper quod ipse circiter xv^{im}

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[z] [sic in MS.]

hinc annos unus erat ex publicis concionatoribus domini Regis in dioces' Cant' quodque ex predicto officio ignominiose expulsus fuit per prefatum Thomam Cranmerum Archiepiscopum Cant' pretensum pro eo viz. quod idem Robertus Serles publice in concionibus affirmavit realem presenciam corporis et sanguinis Christi in eucharistia et quod recusavit subscribere certis articulis per prefatum Thomam Cranmerum editis et divulgatis, qui sibi a fide Christiana in multis dissentire et penitus heretice videbantur Quodque eo nomine per prefatum Thomam seu saltem ejus jussu et mandato idem deponens bis in carceres conjectus fuit et ibidem diu detentus hocque fuit et est notorium per universam Cant' dioc' Et aliter nescit deponere de articulo predicto. AD xiij dicit quod credit et quod publice audivit esse verum, Et aliter nescit deponere AD xiiij dicit quod postquam in Anglia publice renunciatum est auctoritati sedis apostolice maxima queque negocia ad jurisdictionem spiritualem pertinencia ut consecrationes episcoporum et similia sub umbra et auctoritate Regii nominis per ipsum Thomam Cranmerum se ut prefertur tum pro Archiepiscopo Cant' gerentem agebantur et fiebant Et aliter nescit deponere, Ad xv dicit articulum esse verum quia nuperrime viz. hesterna die audivit ipsum impia et execranda contra sedem apostolicam predict' publice in judicio dicentem et protestantem quod nullo modo intendit in eandem consentire neque se eidem reconciliare. Et aliter nescit deponere AD xvj dicit famam de premissis laborare WILLIELMUS TRESHAM sacre theologie professor et ecclesie Christi Oxon' canonicus sexaginta annorum etatis aut circiter libere ut dicit condicionis testis productus juratus et examinatus super articulis et exhibitis ex parte Illustrissimorum principum Philippi et Marie Regis et Regine Anglie contra dominum Thomam Cranmerum pretensum Archiepiscopum Cant' propositis dicit et deponit in vim juramenti sui prestiti ut sequitur. Primo quoad noticiam partium dicit quod dictum Regem Philippum per annum integrum ac dominam Mariam Reginam per viginti annos jam ult' ac dictum Thomam Cranmerum per idem tempus bene novit ut dicit, AD primum secundum tercium quartum quintum et sextum articulos dicit et deponit contenta in eisdem fuisse et esse vera, ac tanquam vera publica notoria manifesta pariter et famosa in hoc Anglie

Regno [a]habita de auditu istius deponentis, et quod sic sepius audivit dici ut dicit Et aliter nescit deponere AD septimum dicit et deponit quod prenominatus dominus Cranmerus libros sequentes edidit et orbi publicavit viz. A defense of the true and catholique feithe etc. Item librum vocat' An answer of the most reuerende father in God etc. atque etiam quod Idem Thomas Cranmerus ejus consilium adhibuit circa edicionem libri
13 vocat' Catachismum in hoc articulo respective mencionat' quos quidem respective libros iste deponens dicit se audivisse prenominatum dominum Thomam Cranmerum in publico judicio fateri et confiteri se modo et forma quibus supra edidisse et ejus consilium adhibuisse Et aliter nescit deponere AD octavum nescit deponere AD nonum dicit et deponit contenta in hoc articulo esse vera de certa sciencia et noticia hujus deponentis ut dicit AD x et xj dicit et deponit quod quia dictus dominus Thomas Cranmerus In academia Oxon' publica disputacione secum ex more scolarum habita contenta in dictis libris et articulis publice pro viribus defendebat et sic quatenus potuit defendens convictus fuit et circiter duos aut tres dies prox' sequen' infra ecclesiam parochialem dive Marie Virginis Oxon' ex eo quod ab eisdem recedere pertinaciter recusavit scolastico et academico Oxon' decreto pro heretico et impio pronunciatus fuit et declaratus librique et articuli predicti pro hereticis et impiis pronunciati et declarati de certa sciencia visu et auditu istius jurati ut dicit addendo ac causam sciencie sue in hac parte reddendo dicit se fuisse presentem tempore defensionis et convictionis predict' et dicit se contra eundem Thomam et ejus libros predictos in publica scola disputasse, et quod audivit ipsum Thomam ejus libros et hereses predict' modo et forma quibus supra defendentem et in ea parte ut prefertur convictum ut dicit Presentibus tunc ibidem Richardo Smythe Richardo Marshall et Richardo Crooke, sacre theologie professoribus contestibus suis cum multis aliis ut dicit premissa videntibus et audientibus AD duodecimum dicit et deponit contenta in hujusmodi articulo fuisse et esse vera ac in Anglie Regno publica notoria manifesta pariter et famosa de auditu scientia et noticia istius jurati except' tantum quod ignorat de aliqua compulsione per eundem Thomam Cranmerum cuiquam facta ut dicit AD

[a] [" habita" interlined.]

xiij dicit contenta in hujusmodi articulo fuisse et esse vera ut credit eo quod tunc romanus pontifex suam auctoritatem exercebat in hoc Regno Anglie de certa sciencia et noticia istius deponentis ut dicit Et ulterius dicit et deponit se audivisse dictum Thomam Cranmerum in publico judicio coram Reverendo domino Subdelegato pro tribunali in hac parte seden' fateri se tale prestitisse Juramentum obediencie prout continetur in scedula huic articulo annexa, hoc tamen fecit sub protestacione in Instrumento publico in hac parte contra eum exhibito contenta ut idem Thomas asseruit. Et aliter nescit. AD xiiij et xv dicit et deponit contenta in eisdem articulis (except' hoc tantum quod aliquem coegit ad consenciendum contentis in eisdem articulis) fuisse et esse vera publica et notoria de certa sciencia et noticia hujus deponentis ut dicit AD ultimum dicit et deponit predeposita per eum fuisse et esse vera publica et notoria ac juxta eadem famam presertim in hoc Anglie Regno laborasse et laborare juxta depositionem suam predictam.

JACOBUS CURTOPP artium magister decanusque Ecclesie Cath' Petriburgen' triginta octo annorum etatis aut circiter libere ut dicit condicionis testis productus juratus et examinatus super articulis et exhibitis in hac parte contra Thomam Cranmerum pretensum Archiepiscopum Cant' ex parte illustrissimorum dominorum nostrorum Regis et Regine propositis et datis. Primo quoad noticiam partium litigantium dicit quod dictum dominum nostrum Regem per tres quarterios anni ult' ac dominam Reginam per xxv annos jam ult' elapsos ac dictum dominum Thomam Cranmerum per septem annos jam ult. elapsos respective bene novit ut dicit. Ad primum [b]et secundum dicit et deponit quod sic dici audivit prout continetur in istis articulis Et aliter nescit deponere. Ad tercium dicit et deponit quod audivit dici quod idem Thomas Cranmerus quandam mulierem secundò in uxorem duxit Sed an eidem mulieri fuit nuptus necne, nescit ut dicit nisi per auditum aliorum, Sed pro certo dicit et deponit se vidisse eandem mulierem quam Idem Thomas Cranmerus tanquam uxorem suam ut asseruit tenuit cum ipso Thoma in ejus mensa sedentem comedentem et bibentem Et aliter nescit deponere. AD iiij et quintum dicit et de- 14

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[b] ["et" interlined.]

ponit quod dici audivit quod dictus Thomas Cranmerus ejus secundam uxorem predictam tempore Regis Henrici octavi clanculum et secrete tenuit, Atque tempore Edwardi sexti etiam hujus Regni nuper Regis Idem Thomas eandem suam uxorem aperte et publice tenuit de visu et noticia istius deponentis Et aliter nescit deponere. AD sextum dicit et deponit quod dici audivit quod idem Thomas dictam uxorem suam secundo ut prefertur per eum acceptam antequam prefectus fuit Cant' Archiepm' duxit et tenuit Osiandro benedicente nupciis Et aliter nescit deponere Ad septimum dicit et deponit quod ex certa sua sciencia dictus Thomas Cranmerus sequentes libros suo nomine edidit et orbi publicavit. viz. A defense of the true and Catholique doctrine etc. Item Cathachismum brevem Christiane discipline etc. atque articulos in eodem Cathachismo mencionat' necnon An aunswer of the most Reuerende father etc. Et aliter nescit deponere AD octavum nescit deponere Ad ix x et xj dicit et deponit quod sic dici audivit quod Idem Thomas Cranmerus dictos suos libros et articulos ac contenta in eisdem publice et in publica scola pro viribus defendebat atque ab heresibus in hujusmodi libris et articulis contentis recedere pertinaciter recusavit et propterea publico Oxon' decreto tam ipse quam ejus libri et articuli predicti pro hereticis et impiis pronunciati et declarati Et aliter nescit deponere AD xij (hoc excepto quod non novit eundem Thomam aliquem coegisse ad contenta in hoc articulo facienda) dicit et deponit eundem articulum et contenta in eodem fuisse et esse vera publica notoria et manifesta in hoc Anglie regno Et aliter nescit AD xiij dicit et
15 deponit contenta in eodem fuisse et esse vera et etiam dicit quod audivit eundem Thomam coram reverendo domino Subdelegato in hac parte procedente in publico judicio pro tribunali seden' confiteri se tale prestitisse juramentum obediencie prout continetur in scedula huic articulo annexa Et aliter nescit deponere. AD xiiij et xv dicit et deponit contenta in eisdem articulis fuisse et esse vera except' quod non novit de aliqua coactione per eundem Thomam Cranmerum facta. AD ultimum dicit predeposita per eum fuisse et esse vera ac juxta eadem famam laborasse et laborare, GEORGIUS London sacre theologie baccalarius Collegii Glocestren' in Academia Oxon' quinquaginta duorum annorum etatis aut circiter libere ut dicit condicionis

testis in hac parte productus et juratus, quoad partes dicit quod dominum Regem modernum non novit ac dictam dominam Reginam circiter xxviij annos jam ult' elapsos ac Thomam Cranmerum per quindecim annos bene novit ut dicit AD primum secundum tercium quartum quintum et sextum dicit et deponit contenta in eisdem articulis fuisse et esse vera et in hoc Anglie Regno publica notoria et manifesta etiam per dictum Thomam Cranmerum coram domino Subdelegato in hac parte procedente publice in judicio saltem in effectu confessa ut dicit Et aliter nescit deponere AD septimum dicit et deponit dictum Thomam Cranmerum libros sequentes edidisse saltem suo nomine, viz. A defense of the true and Catholique doctrine etc. An aunswer of the moste Reuerende father in God etc. necnon ejus consilium adhibuisse circa edicionem Cathachismi brevis Christiane discipline etc. in hoc articulo mencionat' prout dictus Thomas Cranmerus publice fatebatur coram domino Subdelegato in hac parte pro tribunali seden' Et aliter nescit deponere Ad octavum nescit deponere Ad ix x et [c]x dicit et deponit quod dictus Thomas Cranmerus in publica scola theologica Academie Oxon' dictos libros et articulos ac contenta in eisdem aliasque nonnullas hereses publice defendebat, et inter cetera negavit presenciam corporis Christi in sacrosancta eucharistia ut dicit Et sic defendendo et negando scholastico et academico Oxon' decreto pro heretico et impio in Ecclesia parochiali dive [d]Marie Virginis Civitatis Oxon' pronunciatus et declaratus ut iste deponens dici audivit, tamen eidem decreto non interfuit ut dicit Et aliter nescit deponere AD duodecimum dicit et deponit eundem Thomam Cranmerum fuisse et esse (premissorum obtentu) Scismaticum, et quod idem Thomas Cranmerus publice fatebatur se adhibuisse ejus consilium Regi Henrico et quamplurimis aliis personis hujus Regni ut recederent ab auctoritate romani pontificis Et aliter dicit quod nescit deponere An xiij dicit se audivisse dictum Thomam Cranmerum coram prefato domino Subdelegato publice in judicio fassum esse et confiteri se tale prestitisse juramentum prout continetur in scedula huic articulo annexa, tamen hoc fecit (ut asseruit) sub protestacione in Instrumento publico in hac parte exhibito contenta Et 16 aliter nescit deponere. AD xiiij et xv dicit et deponit contenta in eisdem articulis fuisse et esse vera publica et notoria etiam de certa sciencia auditu et noticia istius deponentis ut dicit, AD ultimum dicit predeposita per eum esse vera atque juxta eadem famam laborasse et laborare. MAGISTER RICHARDUS Smythe sacre theologie professor ecclesie Christi in academia Oxon' Prebendarius ac publicus prelector sacre theologie in eadem academia quinquaginta trium aut circiter annorum etatis libere ut dicit condicionis Testis super articulis Capitulis sive Interrogatoriis ex parte illustrissimorum dominorum Regis et Regine contra Thomam Cranmerum pro Archiepiscopo Cantuar' se gerentem datis et propositis productus juratus et examinatus dicit quod citra adventum ejusdem Regis ad hoc Anglie Regnum eum tam tempore nuptiarum inter eum et Serenissimam dominam Mariam Anglie Reginam Winton' celebrat' quam etiam pluries citra illud tempus vidit quodque Serenissimam dominam Mariam Reginam per xiiij aut xv annos necnon prefatum dominum Thomam Cranmerum per xviij annos aut circiter novit AD primum, secundum tercium quartum quintum et sextum articulos predictos dicit et deponit iste deponens quod a pluribus sepius audivit dici prout in eisdem articulis continetur quodque sic in quamplurimis hujus Regni Civitatibus et oppidis ac in utraque universitate sive academia Oxon' viz. et Cantabrigien' et in nonnullis aliis locis publicis hujus Regni contenta in eisdem articulis fuerunt et sunt communiter dicta et publica notoria et famosa etiam de auditu et sciencia hujus deponentis Dicitque iste deponens quod firmiter credit contenta in articulis hujusmodi fuisse et esse vera et aliter dicit quod nescit deponere AD septimum dicit et deponit iste juratus Quod liber vulgo nominatus The defence of the true and Catholicke doctrine of the sacrament of the bodie and blodd of ower Lord etc. editus fuit ac publicatus et orbi traditus per dictum Thomam Cranmerum ac ejus nomine auctoritate et mandanto non solum prout iste juratus sepius hoc verum esse audivit a pluribus aliis verum etiam ex eo quod sub nomine ipsius Thome editus et impressus fuit, Cui quidem libro et contentis in eisdem iste juratus respondens confutacioni ejusdem alium librum edidit et scripsit nominatum vulgariter et Anglice, A confutacion of the true and Catholique doctrine etc.

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[c] [sic in MS.]

[d] [interlined.]

Et quod attinet ad catachismum et articulos annexos et ad librum continentem responsa ejusdem Thome Cranmeri contra librum Reverendi patris domini Stephani Winton' episcopi vulgariter dictum ,An aunswer of the moste Reuerend father in God Thomas Archebusshop of Canterbury etc. dicit quod tam per titulum et inscriptionem eorundem et per publicam famam quam per confessionem dicti Thome apparet eosdem libros per eundem Thomam editos fuisse et publicatos Et aliter dicit quod super contentis in hoc articulo nescit deponere AD octavum et nonum dicit quod nescit deponere AD decimum et undecimum dicit iste deponens Quod intra festa Pashe et Pen- 17
thecostes ad annum elapsum viz. anno Domini millesimo quingentesimo quinquagesimo quarto presens fuit in scola theologica Oxonien' quando dictus Thomas Cranmerus publice et pertinaciter pro viribus defenderat hereses contentas in libris et articulis predictis viz. non esse corpus Christi realiter in eucharistia, et non esse transsubstanciationem panis et vini, tercio missam non esse sacrificium propiciatorium pro vivis et defunctis Quodque propterea post disputacionem aliquot dierum in ea parte publice et solemniter factam, tandem Sentencia duodecim doctorum virorum viz. sex de universitate Oxon' et sex de universitate Cantabrigien' et aliorum multorum virorum doctorum specialiter in ea parte a convocatione Cleri tunc Londini celebrat' missorum convictus fuit et postea in Ecclesia parochiali dive Marie Oxon' pro heretico judicatus ejusque opiniones predicte tanquam heretice dampnate fuerunt Presentibus etiam tunc ibidem ac premissa audientibus venerabilibus viris Richardo Marshall sacre theologie professore ac dicte Universitatis Oxonien' tunc et in presenti vicecancellario Will'mo Tresham et Richardo Croke theologie doctoribus ac Georgio London theologie baccalario Roberto Warde artium magistro Johanne Smythe artium magistro Richardo Bruern sacre theologie baccalario et prelectore Hebreice lingue in dicta universitate una cum aliis pluribus ad numerum millenarium et ultra ut credit et ut modo recolit Et aliter dicit quod super contentis in istis articulis nescit deponere AD xij xiij xiiij xv et xvj dicit aliter super contentis in eisdem articulis deponere nescit quam ex auditu famaque publica et ex propria confessione predicti Thome Cranmeri hesterna luce viz. duodecimo die instantis

mensis Septembris coram domino Subdelegato pro tribunali sedente publice facta dicitque iste juratus in vim juramenti sui quod non est doctus neque instructus preceve aut precio aliquo in hac parte corruptus. MAGISTER RICHARDUS Marshall sacre theologie professor ac decanus Ecclesie Cathedralis et Collegii Christi in Alma academia Oxon' et ejusdem Academie commissarius xxxvij Annorum etatis aut circiter libere ut dicit condicionis testis super articulis ex parte serenissimorum dominorum Philippi et Marie Anglie Regis et Regine contra dominum Thomam Cranmerum assertum Episcopum Cantuar' datis et propositis productus juratus et examinatus, primo de partium noticia dicit quod Illustrissimum dominum Philippum Anglie Regem primo Winton' tempore nuptiarum inter eum et serenissimam dominam Mariam Anglie Reginam celebrat' vidit quodque citra pluries eum vidit Et dicit quod prefatam Serenissimam dominam Mariam Reginam per octo aut novem Annos aut circiter ac Thomam Cranmerum per xvi annos aut circiter
18 novit. AD primum secundum tercium quartum quintum et sextum articulos predictos dicit quod super contentis in eisdem aliter deponere nescit quam ex ipsius Thome [a] confessione tam hesterna luce viz. xij° die hujus mensis Septembris coram reverendo patre domino Jacobo Glocestren' episcopo Subdelegato in hac causa judicialiter et publice facta quam etiam antea isti jurato per eundem dominum Thomam Cranmerum declarata atque ex publica et communi voce et fama super contentis in eisdem tam in utraque universitate viz. Oxonien' et Cantabrigien' ac in pluribus aliis locis publicis hujus Regni Anglie laborante tamen dicit quod firmiter credit contenta in eisdem fuisse et esse vera. Et aliter dicit quod super contentis in hujusmodi articulis nescit deponere AD Septimum articulum dicit et deponit iste juratus quod tam liber vocatus A discourse of the true and catholike faithe etc. Cathachismus brevis etc. cum articulis annexis quam etiam liber vocatus An aunswer of the most Reuerende father in God Thomas Archebusshop of Canterbury etc. editi publicati et in publico producti et destinati fuerunt sub nomine dicti domini Thome Cranmeri atque pro editis per eum publice et communiter dicti nominati et reputati tam per ipsum Thomam quam per alios quamplurimos et etiam

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[a] ["confessione" interlined.]

judicialiter coram domino Judice Subdelegato predicto xij^{o} die hujus mensis Septembris superius mencionat' sic recognit' et confessat.' Et ideo iste juratus etiam firmiter credit libros et articulos hujusmodi per ipsum Thomam Cranmerum saltem ejus nomine sic editos publicatosque et omnibus destinatos fuisse Et aliter nescit deponere. AD octavum et nonum dicit iste juratus quod firmiter credit contenta in eisdem vera esse, ex eo quod sic communiter dicitur etiam ab aliquibus eorum qui articulis hic mencionatis subscripserunt et quod sic communis fama laboravit de hujus deponentis auditu proprio Et aliter dicit quod nescit deponere. AD decimum et undecimum dicit iste juratus quod intra festa Pashe et Penthecostes ad annum elapsum viz. in anno Domini millesimo quingentesimo quinquagesimo quarto jam ult' preterit' presens fuit iste juratus in scola theologica dicte universitatis Oxonien' ubi dictus Thomas Cranmerus publice pro viribus defendebat hereses in libris et articulis predictis contentas viz. denegando presenciam corporis et sanguinis Christi in eucharistia ac transubstancionem panis et vini in corpus et sanguinem Christi etiam misse sacrificium denegando, propter quod post longam et prolixam disputacionem per quinque aut sex dies idem Thomas in ea parte convictus fuit Atque sentencia sex virorum doctorum universitatis Oxon' et sex virorum doctorum universitatis Cantabrigien' necnon sex etiam doctorum virorum ex convocacione sive sinodo Cleri tunc Londini celebrat' et Oxonie pro dicta disputacione specialiter transmissorum in choro ecclesie beate Marie virginis Oxon' predict' condempnatus fuit pro heretico et similiter ejus opiniones predicte pro hereticis dampnate ac condempnate 19 et pronunciate fuerunt Presentibus tunc ibidem et premissa etiam audientibus venerabilibus viris Will'mo Tresham Richardo Smythe et Richardo Croke sacre theologie professoribus Roberto Warde artium magistro Georgio London sacre theologie baccalario necnon Hugone Weston sacre theologie professore ac Convocacionis predicte proloquutore Will'mo Chedsey sacre theologie professore ac Will'mo Cole legum doctore et Morgano Philipps sacre theologie baccalario cum aliis quamplurimis ad numerum ut credit quadringentorum Et aliter dicit quod de contentis in istis articulis deponere nescit AD reliquos articulos viz. ad xij xiij xiiij xv

et xvj articulos dicit et deponit Quod tam racione confessionis prefati Thome Cranmeri hesterna die coram Reverendo patre domino Jacobo Brokes Judice in hac parte subdelegato judicialiter et publice facte quam etiam racione fame publice et communiter in ea parte tam in hac academia Oxonien' quam etiam in aliis plurimis hujus Regni oppidis et locis publicis laborantis etiam de istius deponentis certo auditu credit contenta in articulis predictis fuisse et esse vera, Et aliter dicit quod de et super contentis in articulis predictis nescit deponere dicitque iste juratus quod non est doctus neque instructus preceve aut precio in hac parte corruptus TENORES autem mandati nostri citatorii predicti una cum certificatorio in dorso ejusdem necnon articulorum et scedule annexe ac Instrumenti publici de quibus superius fit mencio seriatim sequuntur et sunt tales JACOBUS BROKES permissione divina Glocestren' Episcopus Reverendissimi in Christo patris et domini domini Jacobi miseracione divina tituli sancte Marie in via sacrosancte Romane ecclesie presbiteri Cardinalis de Puteo nuncupati cause et causis ac partibus infranominatis Judicis et commissarii a Sanctissimo domino nostro Papa specialiter deputati una cum Reverendo in Christo patre Wigorn' Episcopo ac venerabilibus viris Decano Londonien' et Archidiacono Cantuarien' cum illa clausula et vestrum cuilibet insolid' etc. sub modo et forma infrascript'. Judex Subdelegatus sive commissarius sufficienter et legitime deputatus universis et singulis prepositis decanis Archidiaconis prebendariis Rectoribusque vicariis Capellanis Curatis et non curatis scolaribus ac notariis publicis et tabellionibus, clericisque et literatis quibuscumque per provinciam Cantuar' ac alias ubilibet constitutis Salutem in Domino ac nostris hujusmodi et dicti reverendissimi domini Cardinalis Judicis delegati antedicti immo verius apostolicis volentibus firmiter obedire mandatis, literas commissionales sive subdelegatorias prefati reverendissimi patris et domini domini Jacobi Cardinalis et Judicis delegati predicti ipsius sigillo cera rubea impressa in quadam alba lignea capsula inclusa cum cordulis rubei coloris oblongo dependentibus sigillat' ac signo nomine et subscripcione providi viri Claudii Badii clerici Bismitin' dioces' publici auctoritate apostolica et imperiali ut apparuit notarii
20 munitas et subscriptas non viciatas non rasas non obolitas non

cancellatas nec in aliqua sui parte suspectas, sed sanas et integras ac omni vicio et sinistra suspicione carentes nobis directas et per partem illustrissimorum serenissimorumque Philippi et Marie Dei gratia Anglie Regis et regine in ipsis literis commissionalibus nominat', Anno Domini millesimo quingentesimo quinquagesimo quinto Indictione decima tercia pontificatus dicti sanctissimi domini nostri Pauli Pape eo nomine quarti Anno primo mensis vero Septembris die nono In ecclesia parochiali dive Virginis Marie in alma Academia Oxoniensi situat' realiter presentatas, noveritis nos cum ea qua decuit reverencia recepisse tenorem infrascriptum in se continentem JACOBUS miseracione divina tituli sancte Marie in via sacrosancte Romane ecclesie presbiter Cardinalis de Puteo nuncupatus causeque et causis ac partibus infrascriptis Judex ac commissarius a Sanctissimo domino nostro Papa specialiter deputatus Reverendis in Christo patribus et dominis dominis Dei et apostolice sedis gracia Wigorn' et Glocestren' Episcopis ac Decano Londonien' et Archidiacono Cantuar' et vestrum cuilibet insolido Salutem in Domino et presentibus fidem indubiam adhibere ac hujusmodi in commissis diligenciam facere nostrisque hujusmodi immo verius apostolicis firmiter obedire mandatis. Noveritis quod nuper sanctissimus in Christo pater et dominus noster dominus Paulus divina providencia papa quartus, quandam commissionis sive supplicacionis papiri scedulam nobis per certos cursores suos presentari fecit quam nos cum ea qua decuit reverencia recepimus hujusmodi sub tenore motu proprio etc. Quoniam sicut nuper nobis significatum fuit per literas dilectorum in Christo filiorum nostrorum Philippi Regis et Marie Regine Anglie Thomas Cranmerus qui olim sedis apostolice auctoritate metropolitane ecclesie Cantuarien' prefectus fuerat in heresis aliaque tam grandia tamque enormia crimina sit prolapsus ut non solum dicte metropolitane ecclesie regimine indignum se reddiderit sed cum omnem fere divini et humani juris racionem abjecisse videatur majori pena meritum se fecerit prout etiam ex complurimis dicti Regni Anglie prelatorum attestacionibus dicitur apparere asseriturque etiam omnia esse notoria, nos de premissis certam aliter quam ut prefertur noticiam non habentes, et tanta crimina si vera sint impunita dictamque metropolitanam ecclesiam sine pastore idoneo derelinquere, ad aliquam

tamen execucionem aliter quam rei veritate per legitime receptas probaciones habita procedere nolentes, Dilecto filio nostro Jacobo tituli sancti Simeonis sancte romane [b] Cardinali ut de premissis etiam summarie simpliciter et de plano sine strepitu et figura judicii ac sine ulla terminorum substancialium vel tele judiciarie observacione citato dicto Thoma se informet et quicquid inveniet nobis referat committimus et mandamus cum potestate in Curia et extra citandi et inhibendi literas compul-
21 soriales generales ac remissorias in forma consueta ad partes decernendi personasque quascumque si opus esse arbitrabitur sive ad exhibenda jura sive ad perhibendum testimonium etiam per censuras ecclesiasticas cogendi et compellendi seu si pro celeriori expedicione sibi videbitur ad recipiend' informacionem hujusmodi aliquem probum virum in dignitate ecclesiastica constitutum in partibus illis commorantem cum simili citandi inhibendi cogendi facultatem deputandi ac compellendi et subdelegandi cunque aliis facultatibus necessariis consuetis et oportunis presentium tenore committimus et mandamus non obstan' constitucione et ordinacione apostolicis dicti regni legibus statutis et consuetudinibus etiam juramento roboratis, ceterisque contrariis quibuscunque statum merita et tenores predictorumque aliorumque forsan latius exprimendorum pro sufficienter expressis habentes Que quidem commissio binas in ejus fine habebat signaturas, quarum prior talis erat, viz. de mandato domini nostri pape, Audiam idem Reverendissimus dominus Cardinalis citet decernat deputet subdeleget et referat ut petitur. Secunda vero sic subsequebatur viz. placet. J. Cujus quidem commissionis pretextu per nos citacione legitime extra romanam curiam et ad partes contra et adversus Reverendum patrem dominum Thomam Cranmerum prefect' metropolitane ecclesie Cantuar' in forma solita et consueta decreta et concessa subsequenter vero constitutus legitime coram nobis providus vir magister Petrus Renilius in Romana Curia causarum et Serenissimorum Philippi Regis et Marie Regine Anglie procurator assertus prout de sue procuracionis mandato nobis legitimam promisit facere fidem, et eo nomine procuratorio et ad recipiend' informacionem contentorum in preinserta commissione aliquem

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[b] [sic in MS. i. e. "ecclesie" omitted.]

probum virum in dignitate ecclesiastica constitutum in partibus illis commorantem juxta et secundum predicte commissionis vim formam continenciam et tenorem subdelegari vicesque nostras committi per nos debita cum instancia postulavit, Nos tunc Jacobus Puteus Cardinalis et Judex prefatus attendentes postulacionem hujusmodi fore justam et racioni consonam vos Reverendos dominos Wigornien' et Glocestren' Episcopos ac Decanum Londonien' et Archidiaconum Cantuarien' et vestrum quemlibet insolid' ad recipiend' informacionem premissorum narratorum et contentorum in preinserta commissione juxta dicte commissionis vim formam continenciam et tenorem subdelegand' ac vices nostras committend' duximus et per presentes subdelegamus et committimus has nostras literas nostro sigillo munitas decernentes, Que omnia et singula premissa vobis omnibus et singulis predictis intimamus insinuamus et notificamus ac ad vestram et cujuslibet vestrum noticiam deducimus et deduci volumus per presentes In quorum omnium et singulorum fidem et testimonium premissorum presentes literas sive presens publicum Instrumentum hujusmodi subdelegacionem in se continentes sive continens exinde fieri et per notarium pub- 22
licum nostrumque et hujusmodi cause coram nobis scribam infrascriptum subscribi et publicari mandavimus Sigillique nostri jussimus et fecimus appensione communiri Dat' et actum Rome in domo habitacionis nostre solite residen' sub Anno a Nativitate Domini millesimo quingentesimo quinquagesimo quinto Indictione decima tercia die vero Mercurii decima nona mensis Junii Pontificatus Sanctissimi in Christo patris et domini nostri domini Pauli divina providencia pape quarti Anno ejus primo Presentibus ibidem venerabilibus viris dominis Menelao de Bazzanis et Augustino Ferragutt clericis Parmen' et Majoricen' respective civitatum testibus ad premissa vocatis specialiter et rogatis et speciales Et ego Claudius Badius clericus Bismitin' diocesis publicus apostolica et imperiali auctoritatibus notarius Reverendissimique domini Cardinalis prefati et hujus cause coram eo in locum venerabilis viri domini Parii de Fabianis clerici Arben' notarii scriba deputatus Quia dict' Subdelegacioni peticioni et decreto omnibusque aliis et singulis premissis dum sic ut premittitur fierent et agerentur una cum prenominatis testibus presens in-

terfui eaque omnia et singula sic fieri vidi et audivi ac in notam sumpsi ex qua presens publicum Instrumentum manu alterius scriptum exinde confeci et subscripsi signoque et nomine meis solitis et consuetis una cum ipsius reverendissimi Cardinalis sigilli appensione signavi in fidem premissorum rogatus et requisitus. Post quarum quidem literarum commissionalium predict' presentacionem et earum recepcionem nobis et per nos sic ut premittitur fact' fuimus per partem prefatorum Illustrissimorum Regis et Regine debita cum instancia requisiti quatenus onus execucionis earundem literarum et contentorum in eisdem in nos assumere et eas juxta formam in eis annotatam et secundum juris exigentiam debite exequi et citacionem legitimam contra et adversus prenominatum Thomam Cranmerum pro Cantuar' Archiepiscopo se gerentem in predictis literis exadverso principaliter nominatum sub modo et forma inferius descript' decernere et concedere dignaremur Unde nos Jacobus Episcopus et Subdelegatus sive Commissarius antedictus attendentes requisicionem hujusmodi nobis ut premittitur factam justam fore et racioni consonam ob reverenciam dicti Reverendissimi domini Cardinalis Judicis delegati committentis, onus commissionis hujusmodi in nos assumentes necnon juxta ipsius commissionis vim formam et effectum procedere volentes in hac parte citacionem hujusmodi etiam ad diem et locum inferius descript' fieri decernimus justicia id poscente. Vobis igitur conjunctim et divisim auctoritate apostolica (qua fungimur in hac parte) committimus et firmiter injungendo mandamus quatenus citetis seu citari faciatis peremptorie prefatum Thomam Cranmerum Archiepiscopum assertum antedictum, quod compareat coram nobis
23 In Ecclesia parochiali dive Virginis Marie in alma academia Oxon' situat' duodecimo viz. die instantis mensis Septembris hora octava ante meridiem ejusdem diei cum continuacione et prorogacione dierum horarum et locorum tunc sequend' et limitand' si oporteat in hac parte fiend' Causam racionabilem et legitimam si qua pro se habeat aut dicere sciat objectionemve sive excepcionem si quam proponere facere aut objicere velit aut possit contra literas sive Instrumentum subdelegacionis predict' aut [c] contra articulos in hac parte datos seu contra Instrumenta

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[c] ["Contra," interlined.]

processum sive jura aliqua in hac parte producta in debita juris forma dictur' ostensur' et allegatur' necnon testes aliasque probaciones super articulis ceterisque juribus et Instrumentis hujusmodi produci jurari et fieri visur' et auditur' Interrogatoriaque si que dare voluerit datur' et ministratur' necnon ad omnia et singula acta in hac parte necessaria atque juxta premissa et juxta vim formam et tenorem literarum commissionalium sive subdelegatoriarum predictarum successive expediend' processur' et procedi visur' Ulteriusque factur' et receptur' quod tenor et effectus dictarum literarum commissionalium sive subdelegatoriarum et contenta in eisdem de [d]se exigunt et requirunt et quod justicia in hac parte suadebit, Intimantes nihilominus eidem Thome Cranmero Archiepiscopo asserto sic citato quod sive ipse in dicto citacionis et decreti nostri hujusmodi termino comparuerit sive non nos juxta juris exigentiam ac juxta vim formam tenorem et effectum dictarum literarum commissionalium sive subdelegatoriarum tam ad testium productionem juramenti prestacionem et eorum examinacionem Ceterorumque probacionem recepcionem et admissionem quam etiam ad omnia et singula acta necessaria in hac parte successive expediend' prout justum fuerit procedemus ipsius Thome citati absencia sive contumacia in aliquo non obstante Et quid in premissis feceritis nos Subdelegatum antedictum dictis die et loco debite certificet ille vestrum qui presens nostrum mandatum fuerit executus personaliter vel per suas literas patentes harum seriem in se continentes una cum presentibus auctentice sigillat' In Cujus Rei testimonium Sigillum nostrum presentibus apposuimus. Dat' nono die mensis Septembris Anno Domini millesimo quingentesimo quinquagesimo quinto. IN DEI NOMINE AMEN universis et singulis presens publicum Instrumentum inspecturis pateat evidenter et sit notum quod Anno a Nativitate Domini millesimo quingentesimo quinquagesimo quinto Indictione decima tercia Pontificatusque Sanctissimi in Christo patris et domini nostri domini Pauli divina providencia hujus nominis pape quarti Anno ejus primo mensis vero Septembris die nono In domo Rogeri Taylor alias Cooke infra parochiam beate Marie Magdalene in Suburbiis Civitatis Oxon' diocesisque Oxon' notorie situat' In providi et circumspecti viri domini Johannis Clerk notarii publici sub- 24 scripti testiumque infranominatorum ad hæc specialiter vocatorum et rogatorum presencia, Ego Christoferus Smythe notarius publicus ac mandatarius in hac parte specialiter deputatus juratusque et admissus ex parte Illustrissimorum Serenissimorumque Philippi et Marie Anglie Regis et Regine in retroscriptis literis citatoriis principaliter nominatorum ad assumend' in me execucionem retroscriptarum literarum citatoriarum et ad illas exequend' instanter requisitus tanquam obediencie filius literas hujusmodi humiliter et reverenter recepi ac ipsarum execucionem juxta officii mei debitum, suscepi et eidem Thome Cranmero exadverso principali in retroscriptis literis exadverso principaliter nominato presenti, easdem literas et contenta in eisdem insinuavi publicavi notificavi et ad ejus noticiam quantum melius potui et debui deduxi, ac earundem vigore eundem Thomam citavi, quatenus post hujus citacionis execucionem infra terminum in ea prefixum, in judicio coram Reverendo in Christo patre et domino domino Jacobo permissione divina Glocestren' Episcopo Reverendissimi in Christo patris et domini domini Jacobi miseracione divina tituli sancte Marie in via sacrosancte romane ecclesie presbiteri Cardinalis de Puteo nuncupati cause et causis ac partibus infranominatis Judicis et commissarii a dicto Sanctissimo domino nostro papa specialiter deputati sub modo et forma infrascript' Judice Subdelegato sive Commissario sufficienter et legitime deputato in retroscriptis literis nominato modo et forma in eisdem literis expressis compareat, et alias dictas citatorias literas juxta vim formam tenorem et effectum earundem executus fui, nihil de contentis in eisdem omittendo et in signum vere et realis execucionis hujusmodi ipsi Thome veram earundem literarum copiam, necnon copiam veram, articulorum Capitulorum sive Interrogatoriorum ex parte dictorum Serenissimorum dominorum nostrorum Regis et Regine in hac parte contra eum proposit' dat' et exhibit' collacionatas, ac manu et signo dicti domini Johannis Clerk notarii publici predicti, ac hujus cause in actorum scribam specialiter assumpti subscriptas et firmatas una cum libris munimentis et documentis in ipsis articulis sive capitulis specificatis et in hac parte coram retronominato domino Subdelegato etiam exhibitis tradidi et dimisi. Super quibus omnibus et singulis tam Ego notarius et mandatarius antedictus, quam etiam prefatus dominus Johannes Clerk notarius publicus predictus tunc etiam personaliter presens ex parte dictorum Serenissimorum dominorum nostrorum Regis et Regine et eorum nomine, ad conficiend' Instrumentum sive Instrumenta publicum seu publica unum vel plura ac testes infranominatos inde testimonium perhibere specialiter fuimus respective requisiti, ACTA fuerunt hec omnia et singula prout suprascribuntur et recitantur sub Anno Domini Indictione pontificatusque ac mense die et loco supradictis Presentibus tunc ibidem Griffino Willyams Oxon' commorante, et Thoma Owen London' commorante, notariis publicis ac Rogero Taylor alias Cooke Oxon' dioc' et Rolando Grene literato London' etiam commorante, Testibus ad premissa vocatis specialiter et rogatis. Et ego Christoferus Smythe Lincoln' diocesis publicus (apostolica auctoritate) notarius, Quia dictam citacionem contra memoratum dominum Thomam Cranmerum modo et forma quibus supra debite executus fui, omnibusque aliis et singulis premissis dum sic ut premittitur sub Anno Domini Indictione Pontificatusque acmense die et loco supradictis fierent et agerentur una cum prenominato domino Johanne Clerk notario publico et actorum scriba predicto hic inferius se subscribente) prenominatisque testibus presens personaliter interfui, eaque omnia et singula sic feci executus fui et expedivi ac in notam sumpsi Ideo hoc presens publicum Instrumentum manu mea propria exinde confeci scripsi et subscripsi Signoque et nomine meis solitis et consuetis una cum Signo et nomine prefati Johannis Clerk notarii predicti, atque dicti reverendi patris domini Jacobi Glocestren' Episcopi subdelegati supradicta sigilli appensione signavi, in fidem premissorum rogatur specialiter et requisitus, Et ego Johannes Clerk Bathon' et Wellen' diocesis publicus sacra auctoritate apostolica notarius et alme Curie Cantuarien' procuratorum generalium unus, in causaque et causis retroscriptis actorum scriba specialiter assumptus admissus et assignatus. Quia dictarum literarum citatoriarum recepcioni et execucioni ac vere copie earum etiam manu nomineque et signo meis propriis et solitis signate et firmate tradicioni Ceterisque premissis omnibus et singulis dum sic ut premittitur sub

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[d] ["Se," interlined.]

[Here is the notarial device of Christopher Smythe, with the motto,
"Bonum est tacere mala,
"Sanctum, proferre vera."]

[Here is the notarial device of John Clerke, with the motto,
"Da mihi intellectum domine
"Ut sciam testimonia tua."]

Anno Domini Indictione Pontificat' menseque ac die et loco superius specificatis agerentur et fierent una cum memorato domino Christofero Smythe notario publico et mandatario predicto ut prefertur se superius subscribente testibusque prenominatis presens personaliter interfui Eaque omnia et singula sic fieri vidi scivi et audivi, Ideo hoc presens publicum Instrumentum manu propria supranominati domini Christoferi Smythe notarii publici predicti scriptum et exinde confectum etiam subscripsi Signoque et nomine meis solitis
26 et consuetis signavi una cum appensione sigilli supradicta Reverendi domini Subdelegati in fidem et testimonium premissorum Rogatus ut prefertur et requisitus IN DEI NOMINE AMEN Coram vobis Reverendo in Christo patre et domino domino Jacobo permissione divina Glocestren' Episcopo Reverendissimi in Christo Patris et domini domini Jacobi miseracione divina tituli sancte Marie in via sacrosancte romane ecclesie presbiteri Cardinalis de Puteo nuncupati a sanctissimo domino nostro domino Paulo divina providencia illius nominis Papa quarto Judicis delegati commissario sive Subdelegato in hac parte sufficienter auctorisato, Articulos Capitula posiciones sive Interrogatoria infrascripta ac omnia et singula in eisdem contenta omnibus melioribus validioribusque et efficatioribus via modo et juris forma quibus melius validius et efficatius de jure potuit aut debeat atque ad omnem juris effectum exinde sequi valen' procurator et eo nomine illustrissimorum Serenissimorumque principum Philippi et Marie Anglie Regis et Regine contra et adversus Thomam Cranmerum pro Archiepiscopo metropolitane ecclesie Cantuar' se gerentem dat proponit et exhibet conjunctim et divisim ac articulatim prout sequitur IN PRIMIS procurator dictorum Illustrissimorum Regis et Regine ac procuratorio nomine pro eisdem ponit et articulatur et si negatum fuerit probare intendit Quod idem Thomas Cranmerus ad viginti seu circiter annos elapsos in Archiepiscopum Cantuarien' (tunc ipsa sede Archiepiscopali et ecclesia metropolitana Cantuar' per mortem recolende memorie Will'mi Warrham, ultimi Archiepiscopi ibidem et illius Thome immediati predecessoris vacante) auctoritate sedis apostolice utcumque prefectus fuit atque per nonnullos citra annos pro Archiepiscopo metropolitanoque ejusdem ecclesie metropolitice se gessit et aliquo modo se gerit pretenditque in presenti hocque fuit et

est verum publicum notorium manifestum pariter et famosum
ponit et articulatur conjunctim divisim et de quolibet, Item
ponit et articulatur et si negatum fuerit probare intendit pro-
curator prefatus et procuratorio nomine quo supra Quod olim
antequam dictus Thomas Cranmerus dicte Cantuar' ecclesie ut
prefertur prefectus fuit et ante ullos sacros ordines ab eo
susceptos ad xxx^{ta} et ultra annos elapsos quandam mulierem
communiter et vulgo nominatam Johannam alias black Johanne
of the dolphin in Cantabrigia Elien' diocesis (seu alio forsan
nomine sive cognomine vocatam) in uxorem duxit ponit et
articulatur ut supra Item ponit et articulatur et si negatum
fuerit probare intendit procurator antedictus Quod dictus
Thomas Cranmerus post mortem dicte uxoris sue presbiter
effectus ac in sacro ordine sacerdotali constitutus quandam
aliam mulierem Annam nominatam seu forsan aliter vocatam
de facto quum de jure non deberet in suam conjugem accepit
et in Archiepiscopum Cantuar' auctoritate predicta utcumque
prefectus fuit ponit et articulatur ut supra Item ponit et
articulatur et si negatum fuerit probare intendit Idem pro-
curator, Quod ipse Thomas Cranmerus mulierem hujusmodi
sic per eum secundo tanquam uxorem acceptam pro uxore us- 27
que ad mortem Henrici octavi nuper Anglie Regis, clanculum
tamen et (ut fieri potuit) secrete tenuit habuit et custodivit,
Item procurator predictus ponit et articulatur et si negatum
fuerit probare intendit Quare memoratus Thomas Cranmerus
a morte dicti Regis Henrici et tempore Edwardi sexti tunc im-
mediate [e] Anglie Regis, eandem mulierem sic secundo acceptam
non secrete ut prius, sed palam publice notorieque et manifeste
citra ullum pudorem et verecundiam tanquam suam uxorem et
pro sua uxore tam in mensa quam alibi de facto tenuit ac-
ceptavit et tractavit, et cum ea tanquam cum sua uxore co-
habitavit prolesque et liberos multos ex eadem suscitavit et
habuit, ponit et articulatur ut supra, Item ponit et articulatur
antedictus procurator et si negatum fuerit probare intendit
Quod dictus Thomas Cranmerus adeo impudens existens ut
turpitudinem suam in hac parte manifeste jactando detegerit
et in publicum totius hujus Regni Anglie conspectum notorie
deduceret tempore dicti Regis Edwardi (et ipso regnante)

[[e] "Anglie" interlined.]

publice asseruit et affirmavit, inter cetera, se dictam mulierem secundam ex multis antea annis in uxorem suscepisse, et cum ea cohabitasse necnon proles et liberos ut prefertur ab eadem suscitasse ponit et articulatur ut supra. Item ponit et articulatur procurator antedictus et si negatum fuerit probare intendit Quod prelibatus Thomas Cranmerus ad profundum malorum veniens (Christiana fide et religione penitus contemptis, in hereses suas quas longe antea imbiberat, et maxime contra venerabile eucharistie sacramentum libros unacum copia istorum articulorum sibi ostensos propositos et traditos ac in margine hujus articuli expressos sive designatos eorumque vim formam tenorem et effectum edidit, lingua partim Latina partim Anglicana saltem sic edi imprimique et orbi publicari fecit etiam suo nomine ipsasque hereses publice asseruit et docuit ponit ut supra Item ponit et articulatur procurator supranominatus et si negatum fuerit probare intendit, Quod prefatus Thomas Cranmerus articulis quibusdam hereticis, maxime inter cetera contra veritatem veramque presentiam corporis et sanguinis Christi in eucharistia editis et conceptis veramque et reale ac perfectum Christi corpus in ipso sacramento sub specie sive forma panis et vini notorie denegantibus, sub nomine Cleri 28 Cantuarien' falso editis et publicatis pastores Rectores et ecclesiarum curatos non paucos subscribere coegit fecit et compulit ponit et articulatur ut supra, Item procurator antedictus ponit et articulatur et si negatum fuerit probare intendit Quod dictus Thomas quia libros et articulos antedictos modis quibus potuit non cessabat defendere, tum ut factionis et heresis sue participes in impietate retineret, tum ut alios ad eandem nequiciam pertraheret auctoritate serenissime domine Marie Regine predicte (et ejus consiliariis suadentibus) e turri et carcere London' ubi ob sua enormia nephandaque scelera delicta et crimina detentus fuit, ad academiam Oxonien' ubi tunc parliamentum futur' sperabatur mittebatur, hocque fuit et est verum publicum notorium manifestum pariter et famosum ponit et articulatur ut supra. Item ponit et articulatur et si negatum fuerit probare intendit procurator antedictus, Quod Idem Thomas Cranmerus in dicta Academia Oxonien' (publica disputa-

A defence of the true and catho' doctrine of the sacrament of the bodie and bloode of our saivo^{r}. Christe etc. *A discourse or treitise of Peter Martyr* etc. *A discourse vpon the sacrament of the Lords supper solemplie handled at the vniuersitie of Oxforde by docto^{r}. Petir Martir* etc. *Catachismus brevis Christiane discipline* etc. *Articuli de quibus in Sinodo Londonien'* a^{o}. dni. 1552. etc. *An Aunswer of the most Reuerende father in God Thomas Archebushop of Cant' vnto a craftie and sophisticall cavillacion deuised by Steven Gardiner* etc.

cione secum ex more scolarum habita), libros et articulos predictos publice pro viribus defendebat, et sic quatenus potuit defendens [b] exibilatus et convictus fuit, Ponit et articulatur ut supra. Item ponit et articulatur procurator sepedictus, et si negatum fuerit probare intendit Quod memoratus Thomas Cranmerus quia sic libros articulos et hereses predict', pro viribus defendebat et quia modo premisso convictus cedere et ab eisdem recedere pertinaciter recusavit scolastico et academico Oxonien' decreto pro heretico et impio execratoque pronunciatus fuit, et declaratus librique et articuli predicti pro hereticis impiis et execratis pronunciati similiter et declarati fuerunt, Ponit et articulatur ut supra. Item ponit et articulatur procurator predictus et si negatum fuerit probare intendit. Quod prefatus Thomas Cranmerus fuit et est merus et notorius schismaticus ex eo presertim Quod non solum ab unitate catholice et universalis ecclesie ipsiusque ecclesie constitucionibus ordinacionibus, ritibus, decretis sanisque doctrinis et determinacionibus, variis et innumeris modis atque a sede apostolica ecclesiaque romana totius ecclesie [c] catholice sola matrice summoque et romano pontifice et domino nostro papa ejusdem ecclesie catholice et universalis solo sub Christo capite, recessit verum etiam ex eo quod tum hujus Regni Anglie Regem Henricum octavum tum etiam plures alios hujus Regni Anglie Episcopos prelatos et proceres et [d] magnatos, atque utriusque sexus personas quamplurimas sic recedere summoque pontifici et ejus ac sedis apostolice auctoritati renunciare procuravit et fecit, et in ea parte ejus consilium et auxilium adhibuit, etiam pluribus et variis modis, quosdam eorum ad sic recedendum et renunciandum compulit et coegit necnon in ea parte specialis precipuusque et principalis seu quasi instigator et fautor fuit pro talique et ut talis fuit et est communiter dictus tentus habitus nominatus et reputatus palam publice et notorie ponit et articulatur ut supra Item ponit et articula- 29
tur et si negatum fuerit probare intendit sepedictus procurator Quod prefatus Thomas Cranmerus auctoritate sedis apostolice et domini nostri pape Cantuarien' Archiepiscopus ut prefertur consecratus et prefectus (inter cetera tempore consecrationis sue hujusmodi paulove antea aut citra) fidelitatem et

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[b] [sic in MS.]

[c] ["catholice" interlined.]

[d] [sic in MS.]

obedienciam beato Petro sancteque et apostolice romane ecclesie et Sanctissimo domino nostro Pape tunc existenti ejusque successoribus juxta tenorem scedule presentibus annexe saltem in effectu prestitit et in ea parte juramentum ad sancta Dei evangelia subivit, Ponit et articulatur ut supra, Item ponit et articulatur procurator predictus Quod dictus Thomas Cranmerus ejus fidelitatis obediencieque et juramenti prestacione predictis et ceteris premissis non obstantibus (sed penitus spretis et postpositis) spiritu perversi consilii ductus immo verius seductus, non solum modo premisso ab ecclesie unitate sedeque apostolica et domino nostro domino papa ejusque auctoritate recessit et alios supranominatos recedere et ut prefertur renunciare fecit procuravit et coegit, in plurimasque et varias hereses lapsus sit, verum etiam ipsius summi pontificis et sedis apostolice auctoritatem in se assumere et usurpare presumendo saltem prophana et illicita auctoritate utendo (et omnino absque hujusmodi summi pontificis et sedis apostolice auctoritate) tam Episcopos consecrare ceteraque ad solam sedem apostolicam et dominum nostrum papam et ad nullum alium spectantia attemptare et peragere presumpsit. quorum premissorum pretextu Idem Thomas Cranmerus tum reatum crimenque heresis et schismatis, tum etiam reatum perjurii etiam voluntarii, notorie et manifeste incurrebat et incurrit, hocque fuit et est verum publicum notorium manifestum pariter et famosum Ponit et articulatur ut supra Item Ponit et articulatur procurator predictus et si negatum fuerit probare intendit Quod licet hujus Regni Anglie subditi et utriusque sexus persone, nuper ad octo seu novem menses aut circiter elapsos, a schismate pernicioso quo hoc Regnum antea pestifere infectum fuit recesserunt atque ad ecclesie unitatem redierunt sedisque apostolice et sacrosancte romane ecclesie ac domini nostri domini Pape auctoritatem receperunt acceptarunt et admiserunt et in ea parte a schismate et ab heresibus quibus infecti et involuti fuerunt reconciliacionem auctoritate dicte sedis apostolice et domini nostri Pape obtinuerunt Prefatus tamen Thomas Cranmerus animo perverso et indurato corde in heresibus suis et in schismatis reatu (quibus antea infectus fuit) adhuc involutus remanet et jacet infectus Atque se in ea parte debite reconciliare ejusque heresi
30 errori et schismati renunciare ad unitatemque ecclesie catholice et

dominum nostrum papam summumque pontificem caput ejusdem ecclesie redire contempsit et neglexit ac sit pertinaciter contempnit et [e]necligit in presenti, hocque fuit et est verum publicum notorium manifestum pariter et famosum Ponit et articulatur ut supra. Item Ponit et articulatur procurator predictus ac si negatum fuerit probare intendit, Quod premissa omnia et singula presertim in hoc Regno Anglie fuerunt et sunt vera publica notoria manifesta pariter et famosa apud omnis ordinis homines, etiam tam publica vera notoria manifesta et famosa quod ulla tergiversacione celari non possunt atque pro talibus et ut talia taliterque facta et perpetrata communiter dicta tenta habita nominata et reputata palam publice et notorie. UNDE petit procurator illustrissimorum et serenissimorum dominorum Regis et Regine predict' ac procuratorio nomine pro eisdem Jus et justiciam de et super premissis et ea continentibus quibuscunque conjunctim et divisim fieri et ministrari Non arctans se ad omnia et singula premissa probanda nec ad onus superflue probacionis eorundem de quo protestatur specialiter in hac parte Juris beneficio In omnibus semper salvo ac vestrum officium domine Judex antedict' in hac parte humiliter implorando IN DEI NOMINE AMEN Ego Thomas electus Cantuarien' ab hac hora inantea fidelis et obediens ero beato Petro sancteque apostolice Romane ecclesie ac domino nostro domino Clementi Pape septimo suisque successoribus canonice intrantibus, non ero in consilio aut consensu vel facto ut vitam perdant aut membrum seu capiantur aut in eos manus violenter quomodolibet ingerantur vel injurie alique inferantur quovisquesito colore, Consilium vero quod mihi credituri sunt per se aut nuncios seu literas ad eorum dampnum (me sciente) nemini pandam Papatum Romanum et regalia sancti Petri adjutor eis ero ad retinendum et defendendum contra omnem hominem. legatum apostolice sedis in eundo et redeundo honorifice tractabo, et in suis necessitatibus adjuvabo Jura, honores, privilegia et auctoritatem romane Ecclesie et domini nostri Pape et successorum predictorum conservare et defendere augere et promovere curabo nec ero in consilio vel tractatu in quibus contra ipsum dominum nostrum vel eandem Romanam ecclesiam aliqua sinistra vel prejudicialia personarum juris honoris status et

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[e] [sic in MS.]

potestatis eorum machinentur et si talia a quibuscumque procurari novero (vel tractari) impediam hoc pro posse et quantocius potero commode significabo eidem domino nostro vel alteri, per quem ad ipsius noticiam pervenire possit, Regulas sanctorum patrum decreta ordinaciones sentencias disposiciones, reservaciones, promisiones, et mandata apostolica totis viribus observabo, et faciam ab aliis observari, hereticos, Scismaticos, et rebelles domino nostro et successoribus predictis pro posse persequar et impugnabo vocatus ad Sinodum veniam nisi prepedi-
31 tus fuero, canonica prepedicione, Apostolorum limina Romana curia existentia citra singulis annis ultra vero montes singulis bienniis visitabo, aut per me aut per meum nuncium nisi apostolica absolvar licencia, Possessiones vero ad mensam meam pertinentes non vendam neque donabo nec impignorabo neque de novo infeudabo vel aliquo modo alienabo etiam cum consensu capituli ecclesie mee (inconsulto Romano pontifice) Sic me Deus adjuvet et hec sancta Dei Evangelia IN DEI NOMINE AMEN per presentis publici Instrumenti Seriem Cunctis appareat evidenter et sit notum, quod Anno Domini millesimo Quingentesimo tricesimo tercio Indictione sexta Regni illustrissimi metuendissimi ac Invictissimi Principis et domini nostri supremi Henrici octavi Dei gracia Anglie et Francie Regis fidei defensoris et domini Hibernie excellentissimi Anno vicesimo quarto mensis vero Marcii die tricesimo In domo Capitulari Collegii Regii sancti Stephani prothomartyris prope palacium Regium Westm' London' diocesis notorie situat' constitutus personaliter reverendissimus in Christo pater dominus Thomas in Cant' Archiepiscopum (ut dicebat) electus in mea prothonotarii Regii ac notarii subscripti ac venerabilium virorum magistri Johannis Tregonwell legum doctoris et Thome Bedyll clerici a consiliis dicti domini nostri Regis, Richardi Gwent decretorum doctoris Curie Cantuar' officialis principalis et Johannis Cocks legum doctoris dicti Reverendissimi patris audiencie causarum et negociorum Auditoris ac vicarii in spiritualibus generalis testium in hac parte specialiter adhibitorum presentia, protestaciones quasdam fecit legit et interposuit ac cetera fecit prout in quadam papiri scedula quam tunc ibidem in manibus suis tenuit et perlegit plenius continebatur. Cujus quidem scedule verus tenor (nil addito vel dempto) de verbo ad verbum sequitur et

est talis IN DEI NOMINE AMEN, Coram vobis auctentica persona et testibus fidedignis hic presentibus Ego Thomas in Cant' Archiepiscopum electus dico allego et in hiis scriptis palam publice et expresse protestor Quod cum Juramentum sive juramenta ab electis in Cant' Archiepiscopos summo pontifici prestari solita me ante meam consecracionem aut tempore ejusdem pro forma potius quam pro esse aut re obligatoria ad illam obtinend' oporteat, non est nec erit mee voluntatis aut intencionis per hujusmodi juramentum vel juramenta qualitercunque verba in ipsis posita sonare videbuntur me obligare ad aliquod racione eorundem posthac dicendum [f] faciendum aut attemptandum quod erit aut esse videbitur contra legem Dei vel contra illustrissimum Regem nostrum Anglie aut Rempublicam hujus sui Regni Anglie legesve aut prerogativas ejusdem Et quod non intendo per hujusmodi juramentum aut juramenta quovismodo me obligare quo minus libere loqui consulere et 32
consentire valeam in omnibus et singulis reformacionem religionis Christiane gubernacionem ecclesie Anglicane aut prerogativam corone ejusdem reipubliceve commoditatem quoquomodo concernen' et ea ubique exequi et reformare que michi in Ecclesia Anglicana reformanda videbuntur Et secundum hanc interpretacionem et intellectum hunc et non aliter neque alio modo dicta juramenta me prestaturum protestor et profiteor, protestorque insuper quodcunque juramentum sit quod meus procurator summo pontifici meo nomine antehac prestitit quod non erat intencionis aut voluntatis mee sibi aliquam dare potestatem Cujus vigore aliquod juramentum meo nomine prestare potuerit contrarium aut repugnans juramento per me prestito aut imposterum prestando prefato illustrissimo Anglie Regi. Et casu quo aliquod tale contrarium aut repugnans juramentum (meo nomine prestitit protestor quod illud (me inscio) et absque mea auctoritate prestitum pro nullo et invalido esse volo. Quas protestaciones in omnibus clausulis et sentenciis dictorum Juramentorum repetitas et reiteratas volo a quibus per aliquod meum factum vel dictum quovismodo recedere non intendo nec recedam, sed eas mihi semper salvas esse volo. Super quibus omnibus et singulis premissis dictus Reverendissimus pater me prothonotarium et notarium predic-

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[f] [" faciendum" interlined.]

tum unum vel plura publicum seu publica instrumentum sive instrumenta exinde conficere ac testes superius nominatos testimonium perhibere rogavit et requisivit Et deinde die mense et Anno predictis dictus Reverendissimus dominus Thomas electus in me et prelibatorum venerabilium virorum presentia, testium, ad hoc etiam adhibitorum dict' domum Capitularem exivit, et ad gradus summi altaris dicti Collegii vestibus sacerdotalibus amictus, ad recipiendum munus consecrationis perrexit, ac ibidem coram Reverendo in Christo patre domino Johanne permissione divina Lincoln' Episcopo pontificalibus induto super cathedram honorifice ornatam sedente Reverendis patribus Johanne Exon' et Henrico Assaven' Episcopis eidem Lincoln' Episcopo in actu consecracionis dicti Reverendissimi electi assistentibus, genibus innixus quandam pergameni scedulam tenoris sequentis viz. IN DEI NOMINE AMEN Ego Thomas electus Cantuarien' ab hac hora inantea fidelis et obediens ero beato Petro sancteque Apostolice Romane ecclesie ac domino nostro domino Clementi Pape septimo suisque successoribus canonice intrantibus non ero in consilio aut consensu vel facto ut vitam
33 perdant aut membrum seu capiantur aut in eos manus violenter quomodolibet ingerantur vel injurie alique inferantur quovisquesito colore consilium vero quod mihi credituri sunt, per se aut nuncios seu literas ad eorum dampnum (me sciente) nemini pandam. papatum Romanum et regalia sancti Petri adjutor eis ero ad retinendum et defendendum contra omnem hominem. Legatum apostolice sedis in eundo et redeundo honorifice tractabo, et in suis necessitatibus adjuvabo. Jura honores privilegia et auctoritatem Romane ecclesie domini nostri Pape et Successorum suorum predictorum conservare et defendere, augere et promovere curabo. Nec ero in consilio vel tractatu in [g]quibus contra ipsum dominum nostrum vel eandem Romanam ecclesiam aliqua sinistra vel prejudicialia personarum juris honoris status et potestatis eorum machinentur et si talia a quibuscunque procurari novero vel tractari Impediam hoc pro posse et quantocius potero commode significabo eidem domino nostro vel alteri per quem ad ipsius noticiam pervenire possit Regulas sanctorum patrum decreta ordinaciones sentencias disposiciones reservaciones provisiones et mandata appostolica totis viribus

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[g] [Here is an erasure written over with flourishes.]

observabo et faciam ab aliis observari. hereticos Schismaticos et rebelles domino nostro et Successoribus predictis pro posse persequar et impugnabo. vocatus ad Sinodum veniam nisi prepeditus fuero canonica prepedicione, Apostolorum limina Romana curia existentia citra singulis annis ultra vero montes singulis bienniis visitabo, aut per me aut per meum nuncium nisi apostolica absolvar licencia. possessiones vero ad mensam meam pertinentes non vendam, neque donabo nec impignorabo, neque de novo infeudabo vel aliquo modo alienabo etiam cum consensu capitali ecclesie mee (inconsulto romano pontifice) sic me Deus adjuvet et hec sancta Dei Evangelia. manibus suis tenens ante lecturam ejusdem scedule et juramenti in eadem contenti prestacionem in mea et eorundem testium presentia asseruit et protestatus est se dictam scedulam lecturum ac juramentum inibi insertum prestiturum sub premissis protestacionibus alias per eundem eodem die in dicto domo capitulari in mea et eorundem testium presentia habitis et factis et non aliter neque alio modo. Et incontinenter post premissa eandem scedulam perlegit et ut in eadem continetur juravit. Super quibus assercione et protestacione per eundem modo premisso tunc ibidem factis unum vel plura publicum seu publica exinde conficere instrumentum sive instrumenta ac testes prescriptos testimonium perhibere etiam tunc ibidem rogavit et requisivit. Quibus sic peractis die mense et Anno predictis ac solenni consecracione ejusdem Reverendissimi patris finita et expedita 34
Idem Reverendissimus pater dominus Thomas Cantuar' Archiepiscopus ante dictum summum altare pallium recepturus In mea et dictorum mag' Johannis Tregunwell Thome Bedill et Richardi Gwent testium predictorum ad hoc specialiter adhibitorum presentia ante prestacionem juramenti infracripti Iterum protestatus est se hujusmodi sequens juramentum sub eisdem protestacionibus ut premittitur in dicto domo capitulari habitis et factis ac superius descriptis et non aliter neque alio modo prestiturum et juraturum ac ibidem immediate post premissa juramentum sub forma que sequitur IN DEI NOMINE AMEN Ego Thomas Archiepiscopus Cant' ab hac hora inantea fidelis et obediens ero beato Petro sancteque apostolice Romane ecclesie et domino nostro domino Clementi pape septimo suisque Successoribus canonice intrantibus. Non ero in consilio aut

consensu vel facto ut vitam perdant aut membrum seu capiantur mala capcione. consilium vero quod mihi credituri sunt per se aut nuncium seu literas ad eorum dampnum me sciente nemini pandam. papatum Romanum et regalia sancti Petri adjutor eis ero ad retinendum et defendendum salvo meo ordine contra omnem hominem legatum Apostolice sedis in eundo et redeundo honorifice tractabo et in suis necessitatibus adjuvabo. vocatus ad Sinodum veniam nisi prepeditus fuero canonica prepedicione Apostolorum limina Roman' Cur' existentia citra singulis annis ultra vero montes singulis bienniis visitabo aut per me aut meum nuncium nisi apostolica absolvar licencia possessiones vero ad mensam mei Archiepiscopatus pertinentes non vendam neque donabo nec impignorabo neque de novo infeudabo vel aliquo modo alienabo (inconsulto Romano pontifice) sic me Deus adjuvet et hec sancta Dei evangelia, prestitit et juravit. Super qua protestacione sic ut premittitur per eundem Reverendissimum tercio facta et habita Idem Reverendissimus pater me prothonotarium et notarium publicum subscriptum unum vel plura publicum seu publica instrumentum sive instrumenta exinde conficere ac testes predictos testimonium perhibere de et super eisdem etiam tercio rogavit et requisivit. ACTA fuerunt hec omnia et singula prout suprascribuntur et recitantur respective sub Anno Domine Indictione Anno regni Regis predicti mense die et locis predictis Presentibus tunc ibidem venerabilibus viris prenominatis testibus ad premissa respective ut premittitur adhibitis et requisitis. 35 Et Ego Richardus Watkyns in legibus baccalaurius dicti domini nostri Regis prothonotarius Quia premissis omnibus et singulis dum sic ut premittitur sub Anno Domini et Regni dicti domini nostri Regis mense die et loco predictis agebantur et fiebant unacum prenominatis testibus presens personaliter interfui Eaque omnia et singula sic fieri vidi et audivi ac in notam sumpsi, Ideo hoc presens publicum Instrumentum manu alterius (me interim aliter occupato) fideliter scriptum exinde confeci publicavi atque in hanc publicam formam Redegi [a]signavi et nomine meis solitis signavi rogatus et requisitus in fidem et testimonium omnium et singulorum premissorum, QUIBUS quidem processis et actis nostris antedictis plenariam et indubitatam fidem tam in judicio quam extra ac alias ubilibet in agendis adhibend' fore volumus et per presentes decernimus Vobisque Reverendissimo Patri domino Jacobo Cardinali et Delegato antedicto de premissis omnibus et singulis per presentes presentiumque vigore cum omni debita reverencia et honore certificamus informacionem damus, et referrimus. IN QUORUM omnium et singulorum fidem et testimonium premissorum presentes literas sive hoc presens publicum Instrumentum processum nostrum hujusmodi in se continen' exinde fieri et per prefatum providum virum magistrum Johannem Clerk notarium publicum scribam nostrum predict' subscribi et publicari mandavimus nostroque sigillo jussimus et fecimus appensione communiri Data et acta fuerunt hec omnia et singula prout suprascribuntur et recitantur sub Anno Domini Indictione Pontificatuque ac mense diebus et locis superius respective specificatis presentibus venerabilibus et circumspectis viris et personis superius respective etiam nominatis cum multis et quasi innumeris aliis, testibus ad perhibendum exinde testimonium specialiter rogatis et requisitis.

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[a] [It is *signavi* in the MS, but *signoque* was probably intended. Note by the former Editor.]

[Here follows again the notarial device of J. Clerk.]

ET Ego Johannes Clerk Bathon' et Wellen' diocesis publicus sacra auctoritate apostolica Notarius ac alme curie Cantuar' procuratorum generalium unus, Necnon actorum ceterorumque per supranominatum Reverendum dominum Subdelegatum et coram eo habitorum factorum et gestorum scriba in hac parte specialiter assumptus Quia literarum 36 commissionalium sive Subdelegatoriarum predict' presentacioni onerisque suscepcioni earundem ac procuratorii exhibitioni et articulorum dationi prefatique domini Thome Cranmeri partis exadverso principalis Responsioni testiumque productioni et examinacioni predictis modo premisso respective factis, Atque ceteris premissis omnibus et singulis dum sic ut premittitur sub Anno Domini Indictione Pontificatu menseque ac diebus et locis superius respective specificatis coram prenominato Reverendo domino Subdelegato et per eum agerentur et fierent unacum testibus prenominatis presens personaliter interfui Eaque

omnia et singula sic fieri vidi et audivi Ideo exinde notam sumpsi et hoc presens publicum Instrumentum manu aliena (me interim aliis impedito negociis fideliter scriptum exinde confeci subscripsi et publicavi atque in hanc publicam et auctenticam formam redegi. Signoque et nomine meis solitis et consuetis, et [z] fidem et testimonium premissorum Rogatus specialiter et requisitus.

Jo. Clerk.

NUMBER LXXXVIII.**

[See p. 228 of this volume. This copy is taken from the Letters of the Martyrs. Dr. Jenkyns remarks that this and the following letter were addressed, as may be proved from their contents, to Queen Mary in Sept. 1555, soon after his examination before Brookes; and that Strype is in error, mentioning them as if they were written subsequently to his degradation. The variations in Foxe are given as foot notes.]

Archbishop Cranmer to Queen Mary after his examination before Brokes.

[Letters of the Martyrs p. 3–15. ed. 1564. Foxe, Acts and Monuments. Jenkyns's Cranmer, vol. i. p. 369. Works of abp. Cranmer, vol. i. p. 44.]

It may please your Majesty to pardon my presumption, that I dare be so bold to wryte to your highness, but very necessity constraineth me, that your maiesty may know my mind rather by mine owne writing, than by other mens reports. So it is that upon Saturday being the [a].7. day of this moneth, I was cited to appeare at Rome, the .lxxx. day after, there to make answer to such matters as shoulde be obiected against me, uppon the behalfe of the Kyng and youre moste excellente Maiestye: whiche matters the Thursday followyng were obiected against me by Doctor Martin and doctour Story your majesties Proctours, before the byshop of Gloucester sittyng in judgement by commission from Rome. But alas, it cannot but greve the hart of [b]any natural subiect, to be accused of the kyng and Queene of hys owne Realme, and specially before an outward iudge, or by auctority commyng from any person out of thys Realme, where the king and Quene, as if they were subiects within their owne Realme shal complayne and require iustice at

The king and queen make themselves no better than subiects, in complaining of their own subiecte to an outward iudge, as though thei had no power to punishe hym.

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[z] [sic in MS. i. e. "in" omitted before "fidem"]

[a] [12th]

[b] [a natural]

a straungers handes agaynste theyr owne subiecte, beyng already condemned to death by theyr owne lawes: as though the kyng and Queene could not do or have iustice within theyr owne [c]realme againste theyr owne subiectes, but they must seke it at [d]a straungers hands in a straunge land, the like wherof (I thinke) was never sene. I would have wished to have had som meaner adversaries, and I thynke that death shal not greve me much more, than to have my most dread and most gratious soveraigne Lord and lady (to whom under god I do [e]owe all obedience) to be myne accusers in iudgement wythin theyr owne realme before anye straunger and outwarde power. But forasmuch as in the tyme of the prynce of most famous memory King *Henry* the .8. your graces father, I was sworn never to consent, that the byshop of Rome shoulde have or exercise any autoritie or iurisdiction in this realme of England, therfore least I should allowe his authority contrary to myne othe, I refused to make aunswer to the byshop of Gloucester sytting here in iudgement by the Popes authority, leaste I should runne into periury.

The first cause why he woulde not make answer to the Pope's commissarye, is to avoyd perjurye.

An other cause why I refused the Popes authority is this, that hys auctority as he claymeth it, repugneth to the crowne imperial of this realme, and to the lawes of the same, whych every true subiect is bound to defend. Fyrst for that the Pope sayeth, that all manner of power, aswel temporal as spyrytual, is geven fyrst to him of God, and that the temporal power he geveth unto emperours and kinges to use it under hym, but so as it be alwayes at his commaundement and becke. But, contrary to this clayme, the emperial crowne and iurisdiction temporal of thys realme, is taken immediatly from God to be used under hym only, and is subiecte unto none but to God alone.

The second cause is for that the popes laws are contrari to the crown and lawes of Englande.

Moreover [f]themperial lawes and customes of this realme the king in his Coronation, and al Justices when they receave theyr offices, be sworne, and all the whole realme is bound to defend and maintayn. But contrary hereunto the Pope by his authority maketh voyde and commaundeth to blot out of our bokes, all lawes and customes being repugnant to hys lawes, and declareth accursed all rulers and governours, all the makers,

The oth of the king and Iustices, and the duty of subiectes.

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[c] [realms] [d] [at strangers'] [e] [own] [f] [moreover, to the]

wryters, and executors [g]of such lawes or customes, as it appeareth by many of the Popes lawes; wherof one or two I shall rehearse. In the decrees, *Distin* x., is written thus: *Constitutiones contra canones et decreta præsulum Romanorum vel bonos mores nullius sunt momenti.* That is, The constitutions or statutes enacted against the Canons and decrees of the Bishops of Rome or their good customes are of none effect. Also, *Extra. de sententia excommunicationis, noverit. Excommunicamus omnes hæreticos utriusque sexus quocunque nomine censeantur, et fautores, et* [h]*receptatores, et defensores eorum: nec non et qui de cætero servari fecerint statuta edita et consuetudines, contra ecclesiæ libertatem, nisi ea de capitularibus suis intra duos menses post hujusmodi publicationem sententiæ fecerint amoveri. Item excommunicamus statutarios, et scriptores statutorum ipsorum, nec non potestates, consules, rectores, et consiliarios locorum, ubi de cætero hujusmodi statuta et consuetudines editæ fuerint vel servatæ, nec non et illos qui secundum ea præsumpserint iudicare, vel in publicam formam scribere judicata.* That is to say we excommunicate all heretikes of both sexes, what name soever they be called by, and their [i]favourers and receptours and defendours, and also them that shall hereafter cause to be observed, statutes and customes made against the liberty of the church, except thei cause the same to be put out of their bokes or records within two monethes after the [k]publication of thys sentence. Also we excommunicate the statute makers and writers of those statutes, and also the potestates consuls, governours and counsaillours of places where suche statutes and customes shall bee made or kepte; and also those that shall presume to geve iudgement according to [l]them or put in to publyke form of writing the matters so iudged. Now by these lawes, if the bishop of Romes authority which he claimeth by God, be lawfull, all your graces lawes and customes of your Realme, being contrarye to the popes lawes be naught, and aswel your maiesty as your iudges, iustices and all other executours of the same, stand accursed among heretickes, which God forbid. And yet this curse can never be avoyded (if the Pope have such power as he claimeth) untill such times as the lawes and customes of this realm, being contrary to his lawes, be taken away and blotted out of the law bokes. And although ther be many lawes of this Realm contrary to the lawes of Rome, yet I [m]name but a few: as to convict a clarke before any temporall iudge of this Realme, for debte, felony, murther or for any other crime, which clarks by the Popes lawes, be so exempte from the kings lawes, that they can be no where sued but before theyr Ordinary[n]. Also the pope by his lawes may geve al bishoprickes and benefices spiritual, which by the lawes of this realme, can be geven but only by the [o]kings and other patrones of the same, except they fal into the lapse[p]. By the popes lawes *ius patronatus* shalbe sued onlye before the ecclesiastical iudge: but by the lawes of [q]this realme, it shalbe sued before the temporal Judge, and to be shorte the lawes of this Realme do agre with the Popes lawes like fire and water. And yet the kings of this Realme have provided for theyr laws, by the *premunire:* so that if anye man have let the execution of the lawes of this Realme by any authority from the [r]sea of Rome, he falleth into the *premunire.* But to mete with this, the popes have provided for theyr lawes by cursinge. For who soever letteth the Popes lawes to have full course within this realme, by the Popes power standeth accursed: So that the Popes power treadeth all the lawes and customes of this Realme under his fete, cursing all that execute them, until such time as [s]they geve place unto his lawes. But it may be said, that notwithstanding all the popes decrees, yet we do execute still the lawes and customes of this Realme. Nay not all quietlye without interruption of the pope. And where wee do execute them, yet we do it uniustly, if the popes power be of force, and for the same we stande excommunicate, and shal do, untill we leave the execution of our owne

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[g] [of all such]

[h] [receptores]

[i] [fautors]

[k] [publication thereof]

[l] [them, or shall notify in public form the matter so adjudged]

The Pope's lawes and the lawes of England are contrary.

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[m] [named]

[n] [Dist. 28. Consulendum. Dist. 96. Si imperator. 11. q. 1. Quod clericus: Nemo: Nullus: Clericum. 11. q. 2. Quod vero. De sent. excomm. lib. 6. Si judex. 2. q. 5. Si quis. De foro comp. Nullus: Ex transmissa: Si quis: Seculares.]

[o] [king]

[p] [De præb. et dig. Dilectus: Licet.]

[q] [the realm]

[r] [sic]

[s] [they do give]

lawes and customes. Thus we be well reconciled to Rome, allowing such authoritye, whereby the Realme standeth accursed before God, if the pope have any such autority.

These things (as I suppose) were not fully opened in the parliament house, when the popes authority was received agayn within this Realme, for if they had, I doe not beleve that either the king or Quenes majestye or the nobles of this Realme, or the commons of the same woulde ever have consented to receave againe such a forraine autoritye, so iniurious, hurtefull and preiudiciall, aswell to the crowne, as to the lawes and customes, and state of this realme, as wherby they muste nedes acknowledge themselves to be accursed. But none could open this matter wel but the clergy, and [t] that such of them as had red the popes lawes, whereby the pope hath made himself as it were, a God. These seek to maintain the pope, whome they desired to have their chief head, to the intent they might have, as it were, a kingdom and lawes wythin themselves, distinct from the lawes of the crowne, and wherwyth the crowne may not meddle, and so beinge exempted from the lawes of the [u] crowne, might live in thys realm lyke Lordes and kinges, wythout dammage or fear of any man, so that they please their hyghe and supreame heade at Rome. For thys consyderation, I weene, some that knewe the truthe, helde theyr peace [x] at the Parliamente, whereas, if they had done their duetyes to the crown and whole realme, they should have opened theyr mouthes, declared the truth, and shewed the perils and dangers that myght ensue to the crowne and realme. And if I should agre to allow suche autoritye within thys realme, wherby I must needes confesse that your most gracious hygheness and also youre Realme shoulde ever continue accursed untyl [y] you shall cease from the execution of youre owne Lawes and customes of youre realme: I coulde not thyncke my selfe true, eyther to your highnes, or to thys my naturall countrye, knowyng that I do know. Ignoraunce, I know may excuse other men, but he that knoweth howe preiudiciall and iniurious the power and autoritye which he chalengeth every where is to the crown, lawes and customes of thys realm, and yet wil allow the same, I cannot se in any wyse

The Papists to set up a kingdom of theyr own, dissemble the knowne truth and are false to the crowne.

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[t] [and such]

[u] [realm]

[x] [in the]

[y] [ye]

how he can kepe hys due allegeiaunce, fydelity and truth to the crowne and state of this realme.

The thyrde cause why he could not allow the Pope.

The Popes religion is against Christs religion.

Why latin service oughte not to be restored in England.

An other cause I alleged, why I could not allow the autority of the pope, whych is this, That by hys authoritye he subverteth not only the lawes of this realme, but also the lawes of God, so that whosoever be under his authority, he suffereth them not to be under Christes religion purely, as Christ did commaunde. And for one example I brought forth, that whereas by Gods lawes al christian people be bounden diligently to learne hys word, that they may know how to beleve and live accordingly, for that purpose he ordayned holy daies when they ought, leavyng apart all other busines, to geve themselves wholy to knowe and serve God. Therefore Gods wyll and commaundement is, that when the people be gathered [z]together, the ministers shuld use such language as the people maye understand, and take profite therby, or els hold theyr peace. For as an harpe or lute, if it geve no certaine sound that men may know what is striken, who can daunce after it, for all the sounde is in vayne? so is it [a]vayne and profiteth nothyng, sayeth almighty god, by the mouth of S. Paule, if the priest speake to the people in a language which they knowe not, for els he may profite hymselfe, but profiteth not the people sayeth S. Paule. But herein I was answered thus, that S. Paul spake only of preachyng, that the preacher should [b]speake in a tongue which the people did know, or else hys preachyng avayleth nothing. But yf the preachyng avayleth nothing, being spoken in a language, which the people understande not, how should any other service avayle them, beyng spoken in the same language? And [c]that yet S. Paule ment not only of preachyng, it appeareth plainly by his own words, for he speaketh by name expressely of praying, [d]singyng, praising, laudyng, and thankyng of God and of al other thynges which the Priestes say in the churches, wherunto the people say *Amen*, which they [e]used not in preaching, but in other divine service: that whether the priestes rehearse the the wonderful workes of god, or the great benefites of god unto mankind above all other creatures, or geve thanks unto god, or make open profession of theyr faith, or humble confession of theyr synnes, wyth earnest requeste of mercy and forgevenes, or make sute or request unto God for any thyng: then al the people understandyng what the Priestes say, [f] myght ioine theyr myndes and voyces wyth them and say, *Amen*, that is to saye, allowe what the Priestes saye, that the rehersall of Gods universall workes and benefites, the geving of thankes, the profession of faith, the confession of synnes, and the requestes and petitions of the Priestes and [g] the people, might ascend up into the eares of god altogether, and be as a swete savour, odour, and incense in his nose: and thus was it used many hundred yeres after Christes ascension. But the [h] aforesayde thynges cannot be done, when the priestes speake to the people in a language not knowen, and so they or theyr clarke in theyr name say Amen, but they cannot tell wherunto: where as saint Paule saith, how can the people say Amen to thy well-saying, when they understand not what thou saiest? And thus was S. Paule understanded of all interpretours, both the Grekes and Latines, olde and new, scholeautors and [i] others, that I have redde, untyll [k] about xxx. yeres past, at which time one Eckius with other of hys sort began to devyse a new exposition, understanding S. Paule of preachyng only. But when a good number of the best learned men reputed wythin this realme, some favouryng the old some the new learnyng, as they terme it where in dede that which they call the old, is the newe, and that which they call the new, is in dede the old) but when a great number of such learned men of both sortes were gathered together at Wynsor for the reformation of the service of the Churche: It was agreed by bothe wythout controversie, (not one sayeng contrary,) that the Servyce of the Church ought to be in the mother tongue and that Sainct Paule in the .14. chapter to the Corynthians was so to be [l] understanded. And so is sainct Paule to be [l] understanded in the civil law more then a thousand yeres past, where *Iustinianus* a moste godly Emperour, in a synode writeth on thys maner. *Jubemus ut*

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[z] [together, ministers]

[a] [in vain]

[b] [preach]

[c] [yet that]

[d] [singing and thanking]

[e] [use]

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[f] [might give] [g] [and of the] [h] [foresaid] [i] [other] [k] [above] [l] [understood]

omnes episcopi pariter et presbyteri non tacito modo sed clara voce quæ a fideli populo exaudiatur sacram oblationem et preces in sacro baptismate adhibitas celebrent, quo maiori exinde devotione in depromendis Domini Dei laudibus audientium animi [m]*efferantur. Ita enim et Divus Paulus docet in epistola ad Corinth. Si solummodo benedicat spiritus, quomodo is qui privati locum tenet, dicet ad gratiarum actionem tuam, Amen, quandoquidem quid dicas non videt? Tu quidem pulchre gratias agis, alter autem non ædificatur*[n]. That is to say: we commaund, that all byshops and Priests celebrate the holy oblation and [o]praiers used in holy baptisme, not after a stil and close maner, but wyth a cleare loud voyce, that they may be plainly heard of the faithful people, so as the hearers mindes may be lifted up therby with the greater devotion, in utteryng the prayses of the Lord God. For so Paule teacheth also in the epistle to the Corinthians: Yf the spirit doe onely blesse or say wel, howe shall he that occupieth the place of a private person, say *Amen* to thy thankesgeving, for he perceiveth not what thou saiest? Thou doest geve thankes wel, but the other is not edified. And not onely the civile lawe, and al other writers a thousand and fyve hundreth yeres continually together, have expounded S. Paule not of preaching onely, but of other Service saide in the churche: but reason also geveth the same, that if men bee commaunded to heare any thyng, it must be spoken in a language which the hearers understand, or els as S. Paule sayth what avayleth it to heare? So that the Pope geving a contrary commaundement, that the people comming to the churche shall heare they wot not what, and answer they know not wherto, taketh upon him to commaund not only against reason; but also directly against god. And againe I said, Whereas our Saviour Christ ordained the Sacrament of his most precious body and bloud, to be receaved of all christian people under the [p]formes both of breade and wine, and saide of the cuppe, drinke ye all of this: the Pope geveth a cleane contrarye commaundement, that no laye man shall drynke of the cup of their salvation: as thoughe the cuppe of Salvation by

1 *Cor.* 14.

The pope commaundeth both against God and natural reason.

The sacrament oughte to be receaved in both kinds of all christians.

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[m] [afficiantur]

[n] [Justin. Novell. 137. cap. 6.]

[o] [prayer]

[p] [forms of]

the bloud of Christ, pertained not to laye men. And wheras *Theophilus Alexandrinus,* (whose workes Saincte Hierom did translate about eleaven hundred yeres passed) saith, that if Christ had been crucified for the Devils, his cup shoulde not be denied them: yet the Pope denieth the cup of Christ to christen people, for whom Christ was crucified: so that if I should obey the Pope, in these thinges I muste nedes disobey my savior Christ. But I was answered [q] hereto, (as commonly the papists do answer,) that under the forme of bread, is whole christes flesh and bloude, so that whosoever receaveth the forme of bread receiveth aswel christes bloud as his fleshe. Let it be so: yet in the forme of breade only, Christes bloude is not [r] dronken but eaten, not [s] receaved in the cuppe under forme of wyne as Christ commaunded, but eaten with the flesh under the forme of breade, and moreover the bread is not the sacrament of his bloud, but of his fleshe only, [t] nor the cup is not the sacrament of his flesh, but of his bloud only, and so the Pope kepeth from al lay persons the sacrament of their redemption by Christes bloud, which Christ commaunded to geve unto them. And furthermore Christ ordayned the sacrament in two kindes, the one separated from the other, to be a representation of his deathe, where his bloud was separated from hys fleshe, whiche is not represented in one kynd alone; so that the lay people receive not the whole sacrament wherby Christes death is represented as he commaunded. Moreover as the Pope taketh upon him to geve the temporal sworde [u] or royal and imperial power to kinges and prynces; so doth he likewise take upon him to depose them from theyr imperial states, if they be disobedient to hym, and commaundeth the subiectes to disobey their prynces, assoyling the subiectes aswel of their obedience, as of their lawfull othes made unto theyr true kinges and prynces directly contrary to gods commaundemente, who commaundeth all subiectes to obey theyr kinges or [x] other rulers under them[y]. One John Patriarche of Constantinople in the time of S. Gregory, claimed superioritie above all other bishops, to whom sainct Gregory writeth, that therein he did iniurie to hys iii. brethren which were equal with hym, that is to say, the bishop of Rome, [z]of *Alexandria*, and of *Antiochia*, which iii. were patriarchal seas, aswel as *Constantinople*, and were brethren one to an other. But sayeth Saincte Gregorye, if anye one shall exalte himselfe above all the rest to be the universal bishoppe, the same passeth in pryde: but now the bishop of Rome exalteth himselfe not [a]only above all bishops, but also above all kynges and Emperours, and above [b]the whole world [c]taking upon him to geve, and take away, to set up and put downe, as he shall thinke good. And as the deuill havyng no such authoritie, yet toke upon hym to geve unto Christ all the kyngdomes of the world, if he would fall downe and worshippe him: in lyke manner the Pope taketh uppon him to geve Empyres and kingdomes beyng none of hys, to suche as wil fal downe and worship him and kysse his feete. And moreover his lawyers and glosers so flatter him, that they say he may commaund Emperours and kynges to hold hys stirroppe when he lighteth [d]uppon hys horse and to bee hys footemen[e], and that if any Emperour or kyng geve hym any thyng, they geve hym nothyng but that is hys owne, and that he may dispense agaynst Gods word, agaynste the old and new Testament, against S. Paules epistles and against the Gospel. And furthermore whatsoever he doth, although he draw innumerable people by heapes wyth himself into hell: yet may [f]no mortal man reprove hym, bicause he beyng iudge of al men, may be iudged of no man[g], and thus he sytteth in the temple of god, as he were a god and nameth himself Gods Vicar, and yet he dispenseth agaynst God. If this be not to play Antichrists part, I cannot tel what is Antichrist, which is no more to say but

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[q] [hereunto]

[r] [drunk]

[s] [nor is it received in the cup in the form]

[t] [nor is the cup the sacrament]

[u] [by royal]

[x] [or their]

[y] [De jurejur. Si vero.—15 q. 6.

The devil and the Pope are like.

Auctorit.—De foro comp. Ex tenore. De don. int. virum et ux. De prudentia.—Qui filii sunt legit. Per venerab.—De elect. et elect. potest. Fundamenta.—Extravag. de major. et obed. Terram sanctam. 85.—De judiciis. Novit. 87.]

[z] [the bishop of Alexandria]

[a] [not only above all kings and emperors]

[b] [above all the whole]

[c] [but takes upon him]

[d] [from his horse]

[e] [Dist. 19. c. 14.

[f] [not]

[g] [Dist. 40. Si Papa.]

The Pope is Antichrist that is, Christs enemy. Wherfore the Pope is Antichrist.

Christs enemy and adversary, who shall syt in the temple of God, advauncyng hymselfe above all other, yet by hypocrisy and fayned religion shall subvert the true religion of Christ, and, under pretense and colour of Christian religion, shall worke agaynst Christ, and therfore hath the name of Antichrist. Now yf any man lyfte hymselfe hygher then the Pope hath done, who lifteth himselfe above all the world, or can be more adversary to Christ then to dispense agaynst Gods lawes, and, where Christ hath geven any commaundement, to commaund dyrectly the contrary that man must nedes be taken for Antichrist. But untyl the tyme that such a person may be found, men may easily coniecture where to find Antichrist. Wherfore seyng the Pope thus, to overthrow both gods lawes and mans lawes, taketh upon hym to make Emperours and kinges to be vassals and Subjects unto hym, specially the crowne of thys realme, with the lawes and customes of the same, I see no mean how I may consent to admit [h] this usurped power within this realme, contrary to myne othe, mine obedience to gods [i] law, mine allegiance and duety to your maiesty, and my love and affection to thys realme. This that I have spoken against the power and authority of the Pope, I have not spoken, (I take God to record and iudge) for any malice I owe to the Popes person, whom I know not, but I shal pray to god to geve him grace, that he may seke above al things to promote gods honour and glory, and not to follow the trade of hys predecessors in these latter dayes, nor I have not spoken it for fear of punishment and to avoyd the same, thynkyng it rather an occasion to aggravate, then to diminish my trouble: but I have spoken it for my most bounden duty to the crowne, liberties, lawes, and customes of thys [k] realme, but most especially to discharge my conscience in utteryng the truthe to gods glory, castyng away all feare, by the comfort whiche I have in [l] Christes wordes, who sayeth, *Fear not them that kill the body and cannot kill the Soule, but feare hym that can caste both body and soule into hell* [m]. He that for feare to lose this life will forsake the truth, shall lose the everlasting lyfe; and he that for the truthes sake wyll

Luke 12.

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[h] [his]
[i] [laws]
[k] [realm of England]
[l] [Christ, who]
[m] [hell fire]

spend hys lyfe, shall fynde everlasting life. And Christ promiseth to stand fast with them before hys father which wil stand fast with him here: which comforte is so great, that whosoever hath his eyes fixed upon Christ, cannot greatly passe [n] of thys life, knowyng that he may be sure to have Christ stand by him in the presence of his father in heaven.

Matt. x.

The sacraments have the names of those thyngs where of they are sacramentes.

[o] As touchyng the Sacrament, I saide [p] that forasmuch as the whole matter standeth in the understandyng of these wordes of Christ, *This is my body, this is my bloud*, I saye, that Christ in these wordes made demonstration of the bread and wyne, and spake figuratively, callyng bread hys bodye, and wyne hys bloud, because he ordeyned them to [q] be the sacraments of his body and bloud. And where the Papists say in [r] these two pointes contrary unto me, that Christ called not bread hys body, but a substaunce uncertayne, nor spake fyguratively, herein I sayde I woulde be iudged by the olde church, and which doctrine could be proved the elder, that I would stand unto. And forasmuch as I have alleaged in my booke many olde autors both Grekes and Latynes, which [s] about a thousand yeres after Christ continually taught as I do, if they could bryng forth but one old author that saith in these two poyntes as they say, I offerd, vi. or vii. yeares agoe, and doe offer yet styl, that I will geve place to them. But when I brynge forthe any author that sayeth in most playne termes as I do yet sayeth the other parte, that the authors meant not so: as who shoulde say, that the authors spake one thyng and mente cleane contrarye. And uppon the other parte, when they cannot fynde any one authour that sayeth in wordes as they say, yet saye they that the authors ment as they say. Now whether [t] thei or I speake more to the purpose herein, I refer [u] it to the iudgment of all indifferent hearers. Yea the old church of Rome, aboute a thousand yeres together, nether beleved nor used the Sacrament as the church of Rome [x] done of late yeares. For in the beginning, the church of Rome taught a pure and a sound doctrine of the

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[n] [on]
[o] [And as]
[p] [said, Forasmuch]
[q] [be sacraments]
[r] [those]
[s] [above]
[t] [I or they]
[u] [refer me to]
[x] [hath done]

sacrament, but after that the church of Rome fell into a new doctrine of [y]transubstantiation and with the doctrine they chaunged the use of the sacrament, contrary to that Christ commaunded, and the old church of Rome used above a M. yeares. And yet to deface the old thei say that the new is the old: wherin for my part, I am content [z]to the tryal to stand. But their doctrine is so fonde and uncomfortable, that I marveile that any man would allowe it, if he knewe what it is, [a]and what soever they beare the people in hand, that which they write in theyr bookes hath nother truth nor comforte. For by their doctrin, of one body of Christ is made two bodies; one naturall having distance of members with forme and proporcion of a mannes perfite body, and thys bodye is in Heaven, but the bodye of Christe in the Sacramente by theyr own doctrine, must nedes be a monstruous body, having neyther distance of members nor forme, fashion, or proporcion of a mans naturall body, and such a body is in the sacrament (teache they) and goeth into the mouth with the forme of breade, and entreth no farther than the forme of bread goeth, nor tarieth no longer than the forme of bread is by natural heate in digesting, so that when the forme of breade is digested, that bodye of Christe is gone. And forasmuch as evil men be as long in digesting as good men, the body of Christ (by theyr doctrine) entreth as far, and tarieth as long in wicked as in godly men. And what comforte can be herein to any Christian man, to receave Christs unshapen body, and it to entre no father than the stomake, and to depart by and by, as sone as the bread is consumed? It semeth to me a more sound and comfortable doctrine, that Christe hath but one body, and that hath forme and fashion of a mans true body, which body spiritually entreth into the whole man body and soule, and though the sacrament be consumed, yet whole Christe remayneth and fedeth the receaver unto eternal lyfe, if he continue in godlines, and never [b]departe, untill the receaver forsake him. And as for the wicked, they have not Christ within them at al, who cannot be wher Belial is. And this is my faith, and as me semeth a sound doctrine according to Gods word, and sufficient for a Christian to beleve in that

The Papists make Christ two bodyes.

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[y] [transubstantiation: with]
[z] [to stand to the trial]
[a] [but howsoever]
[b] [departette]

matter. And if it canne be shewed unto me, that the popes authority is not preiudicial to the thinges before mencioned, or that my doctryne in the sacrament is erronous (whych I thinke cannot be shewed) then I [c]was never nor wilbe so perverse, to stand wilfully in mine owne opinion, but I shall (wyth al humility) submit myself unto the Pope not only to kisse hys feete, but an other part also.

An other cause why I refused to take the B. of Gloucestre for my iudge, was the respect of his own person being more than once periured. Fyrste for that he beyng diverse times sworne, never to consent that the B. of Rome shoulde have any iurisdiction within thys realme, but to take the king and his successours for supreame heades of thys realme, as by gods laws they be: contrary to [d]this lawful oth the said B. sate then in iudgement by autority from Rome, wherin he was periured, and not worthy to sit as a iudge.

The second periury was, that he toke his bishoprike both of the Queenes Maiestye and of the Pope, makyng to eche of them a solemne oth, which othes be so contrary, that [e]in the one he must nedes be periured. And furthermore in swering to the Pope to mayntayn his lawes, decrees, [f]aconstitutions, ordinances reservations, and provisions, he declareth him selfe an enemye to the Imperial crowne and to the Lawes and state of this Realme, whereby he declared himselfe not worthy to syt as a iudge within this Realme. and for these considerations I refused to take him for my Judge.

ANOTHER LETTER FROM ARCHBISHOP CRANMER TO QUEEN MARY.

[Dr. Jenkyns remarks, that this letter is manifestly, as Foxe calls it, only a piece of another letter to the Queen: but no more is contained in any other authorities.]

. . . I learned by D. Martin, that at the day of your maiestyies coronacion, you toke an othe of obedience to the pope of Rome, and the same time you tooke an other othe to this realme to maintayne the lawes, liberties and customes of the same. And

[c] [never was] [d] [that] [e] [that the one must] [f] [sic]

if your Maiesty did make an oth to the pope, I think it was according to the other othes, which he useth to minister to princes, which is to be obedient to him, to defend hys person, to mayntayn his autority, honour, lawes, landes, and privileges. And if it be so, then I besech your majestye to looke uppon youre othe made to the [g] Crowne and the realme, and to expende and way the two othes together, to see how they agree, and [h] then to do as your graces conscience shall geve you, for I am surelye perswaded that willingly your maiesty will not offend nor do against your conscience for [i] nothyng. But I feare me there be contradiction in your othes and that those [k] that should have enformed your grace throughly, did not their dutyes therein. And if your majesty ponder the two othes diligently, I thynke you shall perceave that you were deceaved, and then your hyghnes may use the matter as god shal put in your heart. Furthermore I am kept here from company of learned men, from bookes, from councel, from penne and yncke, savyng at thys tyme to wryte [l] to your Maiesty, which all were necessary for a [m] man in my case. Wherfore I besech your maiesty that I may have such of these as may stande wyth your maiesties pleasure. And as for mine appearaunce at Rome, if your Maiestie wyl geve me leave, I wyl appeare there, and I trust that god shall put in my mouth to defend his truth there, aswell as here, but I referre it wholly to your Majesties pleasure.

[n] *Your poor oratour*, T. C.]

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[g] [crown and realm]

[h] [then do]

[i] [anything]

[k] [which]

[l] [unto]

[m] [man being in]

[n] [the subscription omitted]

NUMBER LXXXIX. 206

Pole Cardinal Legate, to Archbishop Cranmer, in answer to the Letter he had sent to the Queen[o].

[See p. 235 of this volume. The variations in Strype are given as foot notes.]

Foxii MSS. [Harl. Miscell. 417. fol. 69. Brit. Mus. A. Works of abp. Cranmer: Park. Soc. Ed. vol. i. p. 354.]

Almyghtie God the Father, by the grace of hys onlye sonne, god and man, that dyed for our synnes, maye geve yow trew and perfect repentaunce. This I daylie praye for my selfe being a synner, but I thank God never obstinate synner. And the same grace the more earnestlie I do praye for to be geven to them that be obstinate, the more neade they have thereof, being otherwise paste al mannes cure and admonition to save them. As your open sayings, in open audience, doyth showe of yow, which hath cawsed thatt those iudges that hath sytt apon the examination of your greviouse fautes, seeing no lykelod of ony repentaunce in yow, hath utterlie cast awaye al hope of your recoverie, whereof doith followe the moste horrible sentence of condempnation both of your bodie and Sowle, both your temporall deathe and eternall, which is to me so greate an horrour to here, that if there were onye waye, or mean, or fashion, that I myght fynd to remove you from errour, bryngeng yow to the knowledge of the treuthe, for your salvation, This I testifye to you afore God, apon the salvation of myn owne sowle, that I wold rather chuse to be that meane thatt yow myght receive this benefytt by me, then to receive the greattest benefytt for my selfe that can be geven under heaven in this world, I easteme so moche the salvation of one sowle. And becawse it [p]happened me to see your private lettres directed to the Qwenes Highnes, sent by the same unto me, wherein you utter and expresse such appearaunt reasons that cause yow to swarve from the rest of the Churche, in these articles of the authoritie of the Pope, and of the sacrament of the aulter, Concludeng with these wordes, " That if ony man can show yow by

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[o] [Endorsed by Strype: "Cardinal Pole's Letter to AB. Cranmer, in answer to his letter to the Queen. An Original."]

[p] [happened to me]

reason, that the authoritie of the Pope be nott preiudicyall to the wealth of the realme, or that your doctrine in the Sacrement be erroniouse, then you wold never be so perverse to stond wylfullie in your own opinion : but shall wyth all humilitie submytt your selffe to the truthe in al thinges, and gladlie embrace the same." Thise your wordes, wrytten in that lettre, geveth me som occasion, desyereng yowr wealth, not utterlie to dispayr thereof, but to attempt to recover yow by the same waye that yow open unto me, which is, by reason to showe yow the errour of your opinion, and withall, the light of the treuthe in both causes. Butt whither this maye healpe yow in dede, or bryng yow to revoke the same wyth trew repentaunce, this I know nott. And I feare moche the contrarie, for that I see the grounde and begynneng how yow fell in to errour in both thise articles, nott to be of thatt sort, that maketh men comonlie to falle in to errours and heresies, which sort and waye is, by medleng with your wytt and discourse naturall, to examen the Articles of the faith : Makeng your reason iudge thereof, whiche ought to bee iudged, and ruled by the tradition of the faith, which abuse causeth men daylie to falle in to errours and heresies, and the same also is in yow,
207 and is ioyned wyth that yow have done; But here stondeth nott the grownde of your errour, not yett in this other comon maner of faulleng from the trouthe, which S. Paule noteth in the gentiles, and is in al men comonlie thatt followeth their sensuall appetites. *Qui veritatem Dei in iniustitia detinent,* whiche thing also hath bene occasion of your errour. Butt yett nott this is the verie grownde thereof, butt a further fawte, that you geveng your othe to the truthe, yow mocked wyth the same, as the Jewes mocked wyth Christe, when thei saluted hym saing, *Ave Rex Judæorum*, and afterward dyd crucifie hym, For so dyd yow to the vicare of Christe, Knowledgeng the Pope of Rome by the words of your othe, to be so, and in mynde entendeng to crucifie the same authoritie, whereof cam the plague of deape ignoraunce and blyndnes unto yow. Whiche is now that bryngeth you to this greviouse peryll, to peryshe both bodie and Sowle, from whiche perill no reason can deliver yow. But yow discovereng your selff, touching the entrie, when yow shuld make the customable othe of all legiti-

mate Busshops in Christendom, which is the dore for you to entre to the service of God, in the highest spirituall office wythin this realme, and seeing yow made the same but for a countenance, nothing meaneng to observe that yow promised by the othe, this is a dore, that everye thieffe may entre bye. This is not the dore that thei entre bye, that meane earnestlie the service of God, wherein the Prophetes sentence is playne, askeng this question, *Quis ascendet in montem Domini? aut quis stabit in loco sancto eius?* And then answereng to the same sayeng, *Innocens manibus et mundo corde, qui non accepit in vano animam suam, nec iuravit in dolo proximo suo. Hæc est generatio querentium Dominum, querentium faciem Dei Jacob.* So that yow now, entryng to the mownteyne of God, whiche was to that highe archbushoprike, and to the Primacye in the realme, by a clene contrarie way, whiche is, as yow confesse your selffe by a fayned othe, by fraud and dissimulation, what more playne sentence can be against yow, if yow have a thowsand reformations in your mynde, then thatt al this doith nott make that this shuld be the waye to the trewe service of God, nor thatt yow useng a false othe shuld be of thatt generation which wyth their hart sought god, butt utterlye concludeth against yow, that if those that absteine from all deceite wyth their neighbour, specyallye in othe, be blessed of God, he thatt confesseth to have used such dissimulation in his othe, not wyth one neighbour or twayne, but wyth the hole realme, wyth the hole churche, what can he receve, butt the malediction of god? What can more evidentlie show thatt man to be none of that generation that seketh god? As if there were none other proffe, that followed in yowr acts, such a deceitfull and shamefull entrie, doith manifestlie declare, and most of all one of the furst actes yow dyd after this, which was to plucke the reste of the realme (of whome yow had chiefe cure) out of the howse of God, bryngeng them furthwith in to the schisme, and that we see now, thatt the hole realme by the high mercie of God beyng brought in to the howse of God again, there to receive his grace and benediction, and this to be done by those princes, and those ministers, *qui non acceperunt in vano animam suam, nec juraverunt in dolo proximo suo,* yowr person yet remayneng wythout, deprived of the grace graunted to them, 208 what doith this showe, but that it is the iust sentence of god agaynst yow, for your deceitfull entrie into his service, and the mercye of God toward them thatt not wyllenglie went furth, but by your traiterouse meanes were thrust out? So that here nowe I have told yow, whither yow heare me, or no, the verie cause of yowr blyndnes and ignoraunce, Which is the vengeaunce of god against yow, for your dissimulation and periurie, to hym and to the hole churche, at your entreng to the high service thereof, wherebie yow have deserved to be caste oute of the howse of god, which is the church, *in tenebras exteriores, ubi est fletus, et stridor dentium* which is the place and state wherein I see yow now lye, and the same I saw so evidentlie in your lettres from the begynneng to the ende, as nothing can be more playne, yow showeng your selffe in the same to be so ignoraunt, that you know nott those thinges, which be evident to everye man: whiche everie man, thatt hathe ony exteriour lyght, by experience and knowledge of things past, doith know——

Here much is wanting[q].

that be oute of the church as deade bodies, when the spirite is oute, but to all thatt be wythin the bodie of the Churche, this geveth comfort and lyffe, as the spirit doith to the bodie. And this shall be sufficient to saye, for everye mannes enformation of the truth in this matter, that wyll beleave, other that old, or late experience, or the contynuall doctrine of the hole churche, hath taught in everye christen realme, whereof none ever founde this fawte, thatt the Popes lawes spirituall were not to be exersised, because the same could nott agree with their politike lawes, but rather founde fawte, when the Pope hymselffe, or his ministers, dyd lett the coorse of those lawes, which agreed wythe everye politike bodie as the sowle of man wyth all complexions, and forme of bodie, and when they were stopped, then semed to be stopped the breath and lyffe of justice, as no realme can gyve, as I sayde afore, gretter or surer testimonye then owrs. For when the authoritie and lawes of the Pope dyd florishe in the realm, all justice florished wythall, and that stopped, and caste owt, as it was thise latter yeares, all good iustice and cyvile maner of lyvyng was stopped and cast furth wythall. So that when yow [r]come furst to mervayle of a thing never seene, nor harde of afore in this realme, that a Busshop made by the Popes authoritie shuld nott be deposed, wythout his authoritie, what doith this show but a deape blyndnes, and ignoraunce of the use of the law in this realme, ever continuall, and never broken, of ony iuste prynce, untyll yow your selffe were made Busshop, which healped them to breake all good lawes and customes of the realme, and then afterward to make this for a greate reason, that the Popes lawes shuld nott be now agayn admytted, for then yow saye, all the hole realme, that caste out his authoritie, must nedes knowledg themselffe accursed, which God, yow saye, forefende. And this yow showe yow can nott abyde, for nothing [s]by ony maner thatt the realme shuld knowledge themselffe accurssed, which thei can not, yow saye, avoide, if thei admytt the Popes 209 law, as good. This word yow shuld have sayd afore the realme had cast furth the Pope's authoritie, for to have letted them from their faulle into the corsse, and this had bene the verie parte of a good Busshop. But after that thei were faullen from the lawes, whiche thei had admytted afore, and therbie ronne in to the cursse, (which you saye can not be avoyded, of them that hath ones admytted them) Then I, wythe all good and catholike men, do saye, god forefend, they after this shuld nott knowledge their state to be accursed, which if thei dyd nott, thei could never be absolved from the cursse. and he that forbeddeth now the knowledge of the same, doith in effect procure, that being accursed in dede, thei remayne ever accursed. And this is your monstrouse and blynde love yow pretend to beare to the realme, being accursed your selffe, and blynded in the knowledge of your state, to have the hole realme remayne styll accursed. But the trew affection that thise two [t]catholick princes [u]beare to the realme, wyth the bloode of those thatt resisted the swarveng from the Popes authoritie, hath obteyned of the high mercye of God, thatt the hole realme hath with repentaunce knowledged theyr evell state thei stode in, syneth the leaveng of the authoritie of the Pope in the realme, and wyth repealing off those lawes, made contrarie, have asked absolution, and received it, and be delivered of al cursse, received into the grace of god, and brought in to the churches lapp again. Thei onlie left out, that doith refuse this grace, and hath nott so moche grace to accept itt, whereof if onye should be deprived, [x] none hathe desserved itt more by the iuste wrathe of God to be deprived, then he that was chieffe doer to make the realme lese it, as yow by showeng yowr selffe in this to be the verie membre of Sathan, both then, but moste of all nowe, which deprived of grace of repentaunce hymselffe, wold drawe al other to his dampnation, and dissuadeth al retorne to grace. This your charitie you [y] now show to your contree, whiche as I said hitherto [z] is the verie vengeaunce of God toward yow, of the which this greate blyndnes gyveth a greate testimonye, that yow show in your lettre, writeng of thise thinges, as though yow had never knowledge what had bene done in the realme afore your tyme, nor what was the state of your time, nor yett what is the state of the realme at this present, bryngeng for a greate inconvenient, that if the Parlament shuld accept the lawes of the Pope, thei shold be constrayned to repeale those that were done against his lawes and authoritie; as though this were not so done already. And showeng so greate ignoraunce, both touching the doctrine of the Churche, and in this poyncte touching the Popes authoritie, and the experience of the custome of the realme, yett yow conclude, that ignoraunce myght excuse other men, how prejudicyall the canon lawes be to the wealth of the realme, if they wold accept the same. But you can nott be excused by ignoraunce. And seeing in this the verie trouthe, that ignoraunce can not excuse yow, as in trouth it can nott, being of thatt kynde it is, but if that do nott excuse yow, then malice doith condempne yow, which is the verie cause to bring yow to ignoraunce inexcusable, both in this poyncte of the authoritie of the Pope, as in the doctrine of the Sacrement, wherin it is no lesse monstrouse, and this yow show moste, where yow thinke to speake wyth lesse obstinacye; as where yow saye, that if thei that follow the Popes doctrine 210 herein, could bryng in but one old auncyent doctor of the Church of their opinion, you have offred afore, as yow offer yet, to gyve place unto them, and to consent to the same. What a proffe is this, to show your profounde blyndnes? Yff there [a]be no lett but this, because yow see nott of the old doctours, at the leaste one, thatt were against yowr opinion, in the defence of the Popes doctrine, other men seeing so menye, and not one auncyent approved doctor that ever dissented, what a wonderfull blyndnes is this, nott to see one against yow? For this is playne, when the Pope showeth his sence and doctrine in this article, he doith nott speake thereof as of [b]a doctrine, that he hymselffe hath newlie founde, nor yet onye of his predecessours, but thatt all hath uniformallie received one of a nother of their fathers, unto the Apostles tyme, and they of Christe, which argument is so strong, so evident to the condempnation of your opinion, and confirmacyon of the Popes, that menye sage and learned men writing against the opinion yow follow, bring diverse sortes of arguments to confounde the same, sett aparte all forme of reasoneng, and onelie sticke upon the testimonie and uniforme consent of al the old doctours of the Churche to this day, whiche testimonies be so menye, thatt thei fyll up greate bookes, as amongst other, my Lord of Durrham at this present, in his booke wrytten of this matter, taketh this waye, to ground hym selffe most apon the perpetuall consent of the old doctours, continueng unto this age, and all against your opinion, which boke is abrode, and hath bene seene of yow. Then if yee wyll thinke hym of so smale iudgment or knowledge, that in suche a nombre as he bryngeth, there is nott one that maketh to his purpose, but all for yowr purpose, whom he entendeth to oppugne, other this must prove a wonderfull blyndnesse in hym, and nott in hym alone, but

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[q] [i. e. after the 4th page. But this remark of Strype's is doubtful: some words have probably been omitted.]

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[r] [came]

[s] ["by ony maner" interlined.]

[t] ["catholyke" interlined.]

[u] ["of god" crossed out, after "princes"]

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[x] [These words "none hathe deserved itt more by the" written over an erasure, and "iuste" interlined.]

[y] ["now" interlined.]

[z] [is very]

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[a] ["be" written over "were," which is crossed out.]

[b] [an article]

in so menye learned men that taketh the same waye, or ells in yow, that amongst so menye testimonies, som more clerer then som, nott to see so moche as one alone, this is an evydent proffe, that ye be starke blynde, for if yee were not, if it were but one brought furth unto yow, as is mentioned in that booke, the condempnation of Berengarius, thatt was of your opinion; and that done by a generall Counsell, of all the nations in Christendom, growndeng it selffe upon the uniforme doctrine of their forefathers, were nott this enough; yf yow had yies to see, to showe thatt more then one old doctour were of the Popes doctrin? and if this be nott sufficient proffe unto yow, the same being enough to Berengarius hymselffe, which was converted therebie, and perswaded to recant hys opinion, what doith this show, but thatt he was nott utterlie blynded, but thatt he sawe some testimonie against hym, yow utterlye to have loste all syght, thatt see nott so moche as one. But of this your monstrouse blyndnes I mervell the lesse, the more I see the same to procede of the verie justice and wrathe of God against yow, wyth whome yow mockeng, on that maner as yow showed, in comying in such a high place in service of the Churche, as was to be Archbushop and Primate of the realme, as to swere, *in dolo,* not onlye *proximo,* but *universæ Ecclesiæ,* wylleng afterward to pervert the olde ordre of the Churche, whiche yow called a reformation, me semeth to here the verye wordes and
211 cursse of S. Paule, that lighted upon the false [c]Prophett called Barieu, letteng the coorse of the doctrine evangelicall preached by hym, when he then cursseng hym, saide, *O plene omni dolo, et omni fallacia, fili diaboli, [d]inimici omnis Iustitiæ, non desinis pervertere vias Domini rectas? et ecce nunc manus Domini super te, et eris cæcus, non videns solem, usque ad tempus.* The effect of this I do see hath lighted upon yow, for entreng by deceite to be a chieffe Doctour in the churche, perverteng *Vias Domini rectas,* to be blynded, I praye God it be but *ad tempus.* But hitherto I have not known a more deaper blyndnes, and if that was ponnyshement of that false prophett to lese his corporall syght for a tyme, that being an infidelle, for verie ignoraunce dyd putt obstacle to the verie trew doctrine of the faithe never

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[c] [sic: Prophet Bariesu]

[d] [sic: inimice]

hard of afore, to be blynded corporallie for a tyme, yow thatt first knewe the doctrine, and preached the same, which afterward yow do pervert, if yow were stricken wyth a gretter, and more notable [e]blyndnes of mynde, the whiche yow show now, this is evident to com of the verie hond of God, [f]which mannes hond can not heale, but onelye the hond of God, that iustlie ponnyshed yow therewithall. And the sorer and more desperate cure is of this your blyndnes, the more yow acquyett your selffe therein, as though yow had a greate gyfte of light above al other, for so yow show in your lettres, persuadeng your selffe to have found a waye in teacheng the doctrine of the Sacrament of the aulter, that other hath not seene, which is to take awaye the absurditie bothe to the sence and reason of man, that is in the catholike doctrine, toucheng the Sacrament of the aulter, as yow saye, in that forme of breade and wyne to be the verie trew reall presence of the bodye of Christ, and that it is [g]hys bodie and bloode that is showed in the forme of breade and wyne, whatt reason will admytt this? What sence? and how moche probable were this, if this doctrine were taught, as yow teache it, to saye, thatt yow see in the forme of bread and wyne, is a figure onelie of the body of Christ that is in heaven, whome in spirit in that fygure yow do honour this maner no doubt were more probable sayeng to the eares of men that iudge things other by reason, or by sence. But the more probable it is, the more false it is, the greate sophister and father of all lyes, ever deceaving us by probabilitie of reason, proponyng ever thatt which is more agreable to the sence, But the trew doctrine of Christ is taught by another way.

[h]*Here is another deficiency*

being faullen therein not so moche for fawte or abuse of reason, as by malice against reason. And suche, I saye, no hand can cure, no reason, no discourse, but onlye thatt it please the high mercye of god, that doith chastice your malicious handleng of the truthe, with suche ignoraunce and darknes, to wythdrawe

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[e] ["blyndnes, the which]

[f] ["which mannes—&c.—of God" interlined.]

[g] ["hys" written over "the" crossed out.]

[h] [i. e. after the 10th page.]

his hond of vengeaunce apon yow, for otherwise, you heareng reason, and seeing som lyght thereof, yet yow have, nott so moche grace as to receave it, nor follow it. This is the thyng I greatlie feare in yow, haveng knowledge of your procedyng syneth your furst notable errour, in reiecteng the doctryne of the Popes supremitie, and afterward of the Sacrement, whiche as I saide afore, was nott after the comon maner of faulleng, as
212 other dyd by curiositie, or by frayltie, but by deliberate malice, to forsake the trouthe in both poynctes, to satisfie your carnall appetites, to the whiche you dissembleng furst, and mockeng wyth the treuthe, and afterward openlie forsakeng the same, dyd serve you, whiche as yet yow do nott knowledge, and this muste be the furst thing that you shold knowledge, makeng open confession wyth repentaunce thereof, yf yow shall ever com to receive ony fructe of the mercye of God. So that if I now, that desyre your recover, shuld go about by waye off discourse or argument, to bryng yow from your errour to the truth, this must be the furst poyncte to show, how yow fell into the same darkenes, to the entent that God so moche remytteng his hond of iustice, that yow maye see your abhomination in abuseng the truthe, you myght knowledge by feare the iustice of God in letteng yow faulle [i] in to so greate darkenesse, and by the hope of his infinite mercye, caulle to hym for grace to be restored to som lyght of his infallible veritie. And this I wyth all [k] myne harte prayeng for yow, in the meane season, untyll God gyve yow the grace to do the same for your selffe, shall wythall open unto yow the maner of your faulle. Touching your furst article of the Popes authoritie, which I nede nott open ony further then you have opened your selffe, nor can nott better expresse it, then you have sett it furth, I haveng no knowledge thereof but by your owne sayng and wryting, for defence of periurie obiected [l] unto yow. And now marke yow well, if yow have onye sence of knowledge lefte unto yow to see your selffe and your owne dedes, if ever there were hard suche kynd of a defence, in ony periurie of ony man, that had lefte hym onye lyght of reason, or knowledge of iustice, which for to knowe, furst yow must be putt in remembraunce of the

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[i] ["in" interlined.]

[k] [my]

[l] [to]

kynde of your othe, and the maner of makeng thereof, the kynd was such, that it was no new othe, but the verie same thatt al Archbusshops of Canterburie, which be Primates of this realme, al Archbushops, and Busshops, in everye Christen realme, doith accustomable make to the Popes holines, as to the vicare of Christe in earthe, swearing to hym obedience, such was your othe. And as touching the maner of makeng of it, none could be more solempne, being made in the hond of a Busshop, with the testimonye and assistence of other Busshops, openlie in the churche, in the presence of as moch people as the church could hold, at suche tyme, as yow arraid wyth the sacred vesture of a Busshop, cam afore the aultre to be consecrated Archbusshop. All this, yow can nott, nor do nott, denye, nor yet that after al this solempne and open othe, yow did directlie and openlye against the same, which muste necessarilie condempne yow of periurie. But this necessarie consequence yow denie, graunteng notwithstondyng to have done contrarie to the oth. But yow saye for your defence, thatt where yow went to make the othe, even then yow never thought to observe it, and leaste this shuld be an inconvenient, and a thing moche dommagiouse unto yowr fame and eastimation, if it were nott well knowen, that yow swore one thing in the moste solempne fashion yow could, and ment an other, here yow bryng such a testimonie by wryting, yow bryng furth a previe protestation made with previe 213
witnesses, haveng the hond and signe of the notarie, to prove that when yow went to make that solempne oth, yow were nothing mynded to observe it. Which former protestation, wherto doith it serve, but to testifie a doble periurie, which is to be forsworne afore yow dyd swere, other periurers, be wont to break their oth after they have sworne, yow brake it afore. *Quis sapiens et intelliget hæc, et intelliget malitiam Sathanæ?* and a wonderfull aggravation of the wrathe of God toward yow. But lett the malice of Sathan be furst considered, in deludeng yow, when yow thought to delude other, this delusion was this, Thatt because it had bene hard som protestations to be made, also of som good men, in a case, when thei nott beyng at their owne choise, and libertie, when, *per vim, et metum, qui aliquando cadit in constantem virum,* they be made to sweare, to that, which afterward they have done contrarie to their former

oth; in which case, a protestation, excuseng the wyll, and alledgeng the feare, hath som colour of defence; This, I saye, yow hearyng, and Sathan putteng yow in remembrance herof, with the similitude of this deluded yow, makeng you beleve, that suche a kynde of protestasion myght serve for a premeditate periurie, whereunto yow were not dryven, nother *vi*, nor *metu*, as yow were not in this your case, except yow calle that a iuste feare, that yow dyd see, if yow dyd not sweare, yow could nott satisfie your ambition and covetousnes in haveng the Busshoprick, for so it was, leave yow thise two affections, care yee nott for to be made Busshop, and who dyd constrayne yow to sweare? were ye nott by thatt refuse qwite delivered of all necessitie to sweare? This also ye can not denie, whereunto therefore serveth your protestation made by the hand of a Notarie, but to make your previe periurie more notoriouslie knowen, but to make it knowen to the world, that yow entreng to the rule of a parte of the flocke of Christe, yow entred nott in by the dore; and nott entreng by the dore, but *aliunde*, what comfort could yowr flocke loke for to have by yowe, but that which Christe saith, to followe of those, *qui non intrant per ostium, sed aliunde*, to be stealers and thieffs, *Qui non intrant, nisi ut mactent, et perdant;* as the effect hath shewed by yow. But here yow deceive your selffe again, and wold deceave other, makeng your defence of your simulate othe, that yow dyd the same so for the more servise of God, haveng in your mynd then to reforme the churche, to the which being no waye but to make that oth for a countenaunce. this yow thought for such a purpose myght be acceptable afore God, and also entreng by the authoritie of the Pope, called by hym, thatt had authoritie to name yow, then yow think it can not be justelie of onye man obiected unto yow, thatt yow dyd nott entre by the dore, and this truelie, if you could have kept your owne counsell, toucheng me, I durst not obiect the same unto yow, seeyng nothing owtwardlye, but as thatt yow were lawfullie called and institute Bushop. And of your inward, I wold nott make my selffe iudge.

[m] *More wanting here.*

and see, as is the furst poyncte in your lettres, where yow make a great mervayle, sayng it to be a thing thatt was never seene 214 in the realme, that to condempne ony subiect thereof, iustice shuld be sought of a forreyne power, as is the Popes. How this is to be called a forreyn power, I wyll declare afterward, for this I do not marvell, if yow do nott well know, nott being so open to them thatt lacketh spirituall doctrine, nor of that ignoraunce I do nott speake now, but of thatt outward light and knowledge which is open to everye man by experience, the which yow nott knoweng, it may be well saide, yow be cast *in tenebras exteriores*, and thatt yow have loste both interiour and exteriour knowledge of things, for so yow show in this case, where yow saye it was never seene in the realme, that to condempne onye subiect thereof to death, shuld be required ony other sentence then thatt comyth from the Imperiall crowne of the realme, and their temporall lawes, wherein, that which I note furst is this, thatt in thatt place yow seme to lament, that being condempned all redie, as yow saye, by the lawes of the realme, of highe treason, this dilation is geven to your death, not to suffre, afore al such thinges as be layde to your charge were furst knowen at Rome, this being naturall unto all that be in ieopardie of lyffe, if they can nott hope by ony iust defeance to extue the same, att the leaste, to have tyme al desyre, followeng that proverb, in space comyth grace, the whiche naturall affect being extinct in yow, this followeth withal, naturall knowledge to be extincte, as in the proheme of your lettre is more declared. And now to com nearer to thatt yow saye was never seene, that onye subiect to be condempned, had nede of ony outward Justice, calleng outward iustice, the Canon lawes, that com from the Pope. To this, I saye, the experience and use of the lawes, and iustice in this realme, doith show clene contrarie to yowr mervell, that it was never seene in the realme, afore the tyme of your malitiouse oth, that there was ever ony man condempned for the crime of heresyes, by the mere iustice that comyth from the temporall lawes, but all were furste declared to be suche by the spirituall lawes of the canons, which yow calle forreyne lawes. And this beside, I say, afore that same tyme, of all other crimes, as treason, and other, there was never spirituall man put to execution, accordeng to the ordre of the lawes of the realme, but he were furst by the canon lawes condempned, disgraded, and then gyven to the temporall hondes, wherof there be as menye examples, afore the tyme of breakeng the old ordre of the realme thise laste yeares, as hath bene delinquents, let al the recordes be seene, and specyallie this is notable of the Busshop of ——— whiche being emprisoned here for high treason, the king wold nott proceed to his condempnation and ponnyshment, afore he had the Popes bull geveng hym[n].

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[m] [i. e. after the 14th page.]

And this is the trade of iustice, which the kyng and Qwene use wyth yow at this tyme, beyng condempned of treason, being consecrate Busshop, to have the Popes sentence from Rome afore yow suffre, which maner of proceding, you saye, was never afore in the realm, and the practise and experience in like cases doith show never to have be[ne otherwise, afore] the tyme of your notable periurie. A[nd so Catholick Kings, as it] pertayneth to the priviledge of the [See of Rome,] when 215 thei be crowned doith sweare. And now looke what ignoraunce is this, to thinke that the like was never seene in the realme, when it was never seene otherwise, amongst those princis thatt were counted to be in the obedience of the lawes of Christ, and of the churche. But now to com to thatt yow speake of the Popes lawe and power, which after a seditiouse maner of speakeng, yow call a forreyne power, this stondeth under such a fashion, if God leave yow so moch sence to understond what I saye, that the Popes power can no more be called forreyn power, comeng nott of man alone, but of hym that is God and man, that was *secundus homo, de cœlo cœlestis*, then maye be called a forreyne power, that the sowle of man comyng from heaven, hath in the bodye generate in earth. And so it is in the politike bodye of this realme, ruled with politik-lawes, founded by mannes reason, that be called temporall lawes, [o]whiche comyth from princis and governours temporall, to them comyng the Popes lawes spirituall, doith no other, but thatt the sowle in the bodie, to gyve lyfe to the same, to confirme and strengthen the same. And this is it the aungel speakeng in Christes conception, [p]and declareng what his authoritie shuld be, signifyed, saing, he shuld sytt *super domum David,* which was, a temporall reigne, *ut confirmet illud et corroboret.* And so doith the spirituall lawes, procedyng of his spirite, as be the lawes of the churche, and canon lawes, whiche, wheresoever thei be well observed, doith this effect, ever to confirme and stablish the temporall lawes of the realme, as no realme hath had more experience, then this, ever syneth the tyme they received the faith, and obedience of the Pope, from whome [came] their doctrine of the fayth, there was never notable [trouble] in the realme of onye kynde, if it dured ony space, [but it] was ever lightlie eased, and the realme established by som legate sent from the Pope and the See of Rome, followeng the prescript of the canons, and the spirituall lawe, withoute the whiche no realme can well be governed, butt al be like to the thorne bushe, whereof it ys written, *in libro Judicum,* when the Sichimites had chosen a Tyrannie over them, against the law of God, then it was prophesyed unto them, what shuld com thereoff, which was, that fyer shuld com furth of thatt thorne, which was their Kyng, that shuld devoure the people, and from the people, to borne hym, as it was, and ever shall be, where mere temporall lawes wythout spirituall doith rule, which state maye be compared to be lyke such a thorne, whereof fyre doith com furth, to the destruction bothe of the governor and the people. And how the lawes of the realme myght be well likened to such a thorne, after thatt the spirituall authoritie was caste furth, the destruction of such a sorte of men, of all degrees, both greate and smale, the greate spoyles, that were taken, maye geve sufficient proffe, to all them that hath onye sence or remembraunce of thinges so late done. And now comyng again to the spiritual authoritie and Lawe to joyne it selfe wyth the temporall, this is like to the fyer that Moyes sawe *in rubo,* which gave light and dyd nott burne, nor never doith, when it is well used, and if it be nott well used, the faute is in the persones, and nott in the thinge, as the faute is nott in the temporall lawes, when the Prynce doith abuse them,

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[n] [a short word or rather contraction after "hym" is unintelligible.]

[o] ["whiche comyth —— temporall" omitted.]

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[p] ["and" interlined.]

howbeit, of their nature thei be *tanquam spinæ,* as was also
Moyses lawe, sharp to which was mitigate; and so
216 shal be in every [when] theye be joyned wyth
the spirituall ought nott to be called forreyne [Lawes]

More here wanting ;[q]

Non in probabilibus humanæ sapientiæ verbis, ne evacuetur crux Christi. As it shuld be in this case. For if this probabilitie were followed, the sklaunder of the cross shold be voyde, For this were no sklaunder to the Jewes to here Christ honoured in a figure thei being ever used to the same nor it wolde seame so moch folyshe to the gentiles and infidelles after we had accepted Christ for God, to honor hym in a figurative maner, butt this beyng the counsell of Christe to uttre his greate misterie in forme that he [r]wold have it sklaunder to both the Jewes, that seke signes, and were used to be taught by figures, and also the gentiles that stycke apon the judgement of reason, the more probable yow make it, the further yow swarve from the trew doctrin of Christe, and verie trew maner to teache it. And here maye no new maner be taught what a haynouse pryde is this, this doctrine passeng a thowsand yeare, and as menye hundred besyde, as hath bene seneth this Sacrament was instituted, by the myddest of the Jewes and Gentiles, wyth this sklaunder and appearaunce of folyshnes, neuer being founde fawtye in onye one of the Busshops and preachers of the word of God, that they confessed the reall presence of the bodie of Christ in the Sacrement of the aulter, but all founde fautie and condempned of heresie, whiche denyed the same, and ever the doctrine of the presence prevayleng and triumpheng above mannes reason or sence maye be capace of the same, which both God wyll have mortifyed and dye utterlie, when this misterie and meate of liffe is spoken and taken, for as thatt was the begynneng of the destruction of man, when followeng the probabilite off reason, he wold feade hymselffe wyth meate prohibite unto hym, So the counsell of God hath ordeyned, this to be the begynneng of the lyffe of man, to take a sensible meate, wherein nother reason, nor sence can fynde onye probabilitie, or make onye iudgement thereof. But because I have entreated this part more largeleye in an nother epistle, that I send unto yow, wherein I show that stondeng as yow do, wythout repentaunce of the maner of your entrie to the service of the church, yow could never be nother good scoler of this doctrine, and moche less a master, I wyll now procede no further to reason wyth you herein, knoweng al to be in vayne, and no healpe nor meane to recover yow, but onlie prayer, whiche wyth all my harte, as I wold for myn own sowle, I wyll not fayle to use for yow, to hym, whom yow have so greatelie offended, as I never redd of ony Busshop that ever was in the churche, But the fownteyne of his mercye is never closed to them thatt wyll call for itt, as myn owne entier prayer is to the infenite mercie of God, thatt yow maye have the grace so to do, sendeng yow for obteynyng of that, his holie spirit, *Qui condemnat mundum de peccato, de iuditio, et de iustitia*, that seeing furst your soore condempnation, yow maye therewith be sturred with al humilitie and contrite hart to demaunde som comfort, 217 which can[not] be hoped of wythout your former condempnation of your selffe, wherunto to bryng yow, it hath cawsed me by wryting to set furth so earne[stly] som part of your grieviouse offences afore yow, wylleng yow no less comfort then I wold to myn owne sowle. And the same I saye, concludeng and eandeng as I beganne, it maye please the paternall love, that God beareth unto all synners, for hys sake, thatt being his onelie sonne, God and man, dyed to paye their raunsome, for to forgeve yow, and deliver yow, *ex ore leonis*, which hath so devowred yow, that if you be nott plucked oute [s]as the Prophet Amos sayth of Israell, *Quomodo si eruat pastor duo crura aut extremum auriculæ*, I saye iff you be nott plucked out by the eare, yow be utterlie undone both bodye and Sowle, which yett again, and ever, the infiuite mercye of God may defeande you from. Wrytten in the coorte at S. James the vj. of Novembre. 1555,

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[q] [i. e. after p. 18.]

[r] ["would"]

Yowr very trew coumfortore in God,
yow not refuseng hys grace,
[t]R. Pole. Carle. Leg.

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[s] ["as the" &c, to "eare" written over an erasure.]

[t] [This is in Card. Pole's handwriting.]

[NUMBER LXXXIX.*

CARDINAL POLE'S LETTER TO CRANMER, CONCERNING THE SACRAMENT OF THE EUCHARIST.

See p. 237 of this volume. The MS. in the British Museum, from which the present copy is made, consists of twenty leaves in folio, written in a beautiful Italian hand. There are, throughout, interlineations and emendations, principally with reference to style, in the handwriting of Cardinal Pole himself. The words and passages intended to be struck out are underscored in the MS. These are given as foot notes: though it is not very easy, in all cases, to ascertain the exact corrections meant, from the omission of apparently necessary underscorings &c.

Harl. MSS. 417. p. 49. British Museum: Original.

Reginaldi Poli Cardinalis Legati Apostolici Epistola ad Thomam Cranmerum, qui Archiepiscopalem sedem Cantuariensis ecclesiæ tenens, nouam de Sacramento Eucharistiæ doctrinam contra perpetuum catholicæ ecclesiæ consensum professus est, ac tradidit, qua epistola eum nec magistrum tanti mysterii neque discipulum idoneum esse posse; simulque unde hic eius error manarit, ostendit; et ad pœnitentiam hortatur.

2 Joann

"Omnis, qui recedit, et non permanet in doctrina Christi, Deum non habet. Qui permanet in doctrina, hic patrem, et filium habet. Si quis uenit ad uos, et hanc doctrinam non affert, nolite recipere eum in domum, nec Aue, ei dixeritis. Qui enim dicet illi, Aue, communicat operibus eius malignis." Hæc ille dilectus Christo discipulus. Quid igitur ego nunc ad te scribens, quem à doctrina Christi, et ecclesiæ iampridem recessisse tam aperte constat; qui eam omnibus modis oppugnare pergis; an contra hoc præceptum facio? Hoc equidem nolim; etsi non defuerunt, qui, hoc meo ad te scribendi consilio cognito, his Joannis Apostoli uerbis, auctoritateque studerent me ab eo deducere; cum dicerent, hoc ipsum ad te scribere, plus esse, quamsi te in domum reciperem; perinde enim esse, ac si ipse domum ad te accederem, tuoque hospitio uterer: quod si cæteris non liceat, multo minus mihi conuenire, qui in hoc regno eius personam sustineo, ad quem de te iudicandi ius spectat:

neque enim si æquum non est, inquiunt, iudicem apud reum diuersari æquum uideri debet, ab eo alias ad reum mitti literas, nisi quæ [a]illum ad iudicium citent. At ego me eius iudicis personam gerere intelligo, qui in terris Vicarius est magni illius regis, qui non ad damnandum uenit, sed ad seruandum, et à Deo iudex omnium constitutus ante supremi illius iudicii [b]diem quale id futurum esset, ut a mortis periculo et a damnatione nos liberaret, exponere, omnesque seruandi modos experiri uoluit. Itaque non alienum ab officio meo existimavi, te eius periculi admonere, quod tibi nunc, nisi [c]resipiscas, non minus a cœlo, quam à terra maximum, atque grauissimum impendet. Nec uero uideri [d]debeo, à Joannis authoritate recedere, cum [e]me Caritas ab eo maxime [f]commendata, ut hac epistola ad te adirem, impulerit, non quidem ut tuorum peccatorum sim particeps, cuius periculi [g]uitandi causa ille prohibet omne genus consuetudinis, atque usus cum [h]iis, qui à Christi doctrina recesserint, sed ut te ab ecclesia jampridem seiunctum, peccatisque mortuum; Dei uerbo, et ueritatis ui excitare [i]coner, et te ipsum, ac ecclesiam restituere. Cum ergo [j]jam fores tuas pulso, en uoco; non quidem ut in domum abs te recipiar, hoc enim esset operibus tuis communicare, quod uetat Joannes, sed ut [k]ipse, [l]tua id est, impietatis domo relicta, ad ecclesiam quam reliquisti, [m]redeas. Voco autem, non meo, sed eius nomine, qui è cœlo descendit, ut Deum propter peccata humano generi iratum placaret, nosque ab æterna mortis sententia [n]liberaret: uoco nomine Apostolorum, martyrum, confessorum, ac piorum omnium, qui in Dei ciuitatem sunt adsciti, [o]teque [p]inuito, ut ad hanc ipsam ciuitatem, quæ nostra est communis omnium mater, quam ipse non modo reliquisti sed grauiter etiam oppugnasti, reuertare. [q]Nonne hæc sola uox satis ad persuadendum ualere debet? An uero dicas, te beatam illam societatem et sanctorum communionem minime reliquisse, sed ei magis adiunctum esse, atque [r]adhærere, eam sentientem et docentem quæ scriptura ipsa ueram esse Christi doctrinam aperte declarat: nos potius ab ea recessisse, qui scripturæ sensum falsa interpretatione peruertimus? Sic te quidem audio dicere. At hoc tamen negare [t]non potes, nos verum Christi corpus et sanguinem in Eucharistiæ Sacramento esse credentes, eam sequi doctrinam quam tu etiam paulo ante profitebaris, ac docebas Archiepiscopus, et regni primas, quamque secuti sunt omnes qui ante te eandem sedem tenuerunt, unde primum religio Christi in reliquas huius regni partes manavit, atque propagata est. hanc vero [u]esse tandem doctrinam, quam Apostolica, et Romana sedes tradiderit, quamque pii omnes ubique semper professi sint, de qua tantus omnium consensus mille annos extiterit, [x]ut id nunquam in dubium et controuersiam vocatum fuerit. Post cum [y]quidam Berengarius Diaconus Andagauensis nouam Christi verborum interpretationem excogitasset, eandem, quam tu nunc sequeris; [z]hanc tum a Lanfranco Cantuariensi Archiepiscopo graviter [a]oppugnatam fuisse ac frequenti episcoporum conventu [b]reiectam, atque damnatam; ejusque [c]auctorem nisi

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[a] [nisi quæ ipsum citent, et ad iudicij terrorem incutiendum pertineant.]

[b] [diem, ejus periculum, ut ab ipso nos liberaret,]

[c] [resipiscas, et ad pœnitentiam revertare, non minus]

[d] [debeo, a præcepto illo Joannis recedere,]

[e] [me et caritas]

[f] [commendata, ad te adduxerit, non quidem]

[g] [evitandi]

[h] [illis]

[i] [coner, ac restituere.]

[j] [ergo fores]

[k] [ipse, relicta domo tua, ad ecclesiam]

[l] [this word is hardly legible, but is probably "tuâ."]

[m] [redeas. Quî autem id consequi potero! Epuidem quid sperem, nondum satis scio; quid uero tibi sit agendum, hoc scio. Debes autem (debes enim: a pri. manu) uocanti mihi parere, qui te, ut impietatis domo exeas, non meo, sed eius nomine uoco, qui è]

[n] [liberaret. Huius, inquam nomine, quem Deus pater constituit caput super omnem ecclesiam, ad te nunc, qui eum per simulationem, et

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speciem amicitiæ prodidisti, uenio, ut te ab æterno supplicio, cui te ipsum addixisti, liberem; uenio, nomine]

[o] [ad te invitandum,]

[p] [inuit: orig. MS.]

[q] [Annon]

[r] [adhærere, quæ scriptura]

[t] [non potes, te, cum ante idem, quod nos, de ea doctrina sentires, quæ uerum Christi corpus, et sanguinem in eucharistiæ sacramento esse tradit, posse sententiam mutasse: nos in ipsum crederemus, eam secutos esse doctrinam, quam tu]

[u] [esse doctrinam]

[x] [ut, cum tot concilia generalia sint habita, in quibus uniuersa ecclesia sensum suum de ueritate dogmatum fidei (ueritate doctrinæ Christi: a pri. ma.) multis in rebus declarauit, id nunquam]

[y] [quidam diaconus]

[z] [hæc]

[a] [oppugnata frequenti]

[b] [reiecta atque damnata fuit]

[c] [auctor]

pœnitentia ductus, quod temere, et impie contra sensum ecclesiæ protulerat, repudiasset; [d]eas pœnas quibus affici solent hæretici, subiturum fuisse. Cum hoc, inquam, constat, ecclesiam [e]semper nostram sententiam retinuisse, tuam damnasse, an tu nobis hac in re defectionem ab ecclesia objicies, de qua ipse uerissime argueris, [f]qui tam aperte ab eo dissentiris, quod omnes omnium ætatum tum græci, tum latini doctores constantissime [g]asseuerunt. Quod si hoc tantum dicerem, teque ad sententiam nostram amplectendam, quæ totius ecclesiæ semper ac tua etiam antea fuit, [h]inuitarem, annon vel id solum satis esse deberet ad persuadendum, ut tot sanctorum patrum et totius ecclesiæ iudicio, tuum subjiceres, nouamque istam sententiam; deberet quidem, si aures ad ea audienda, quæ vera et recta sunt, [i]haberes: nec uero mea est hæc uox qua te nunc [k]appello, sed Christi, sed matris omnium piorum ecclesiæ, si enim mea tantum, id est, naturæ uoce tecum agerem, longe aliter sane loquerer, imo tecum nihil loquerer, sed cum Deo tantum, ab eoque postularem, ut ignis de cœlo descenderet, qui te in ista domo, in quam seorsum ad ecclesia commigrasti, exureret. Quid enim? an non iuste hoc tibi imprecarer, qui Regem tuum e domo Dei, id est, ecclesia, in quo is ante magno cum honore, piorumque omnium lætitia erat, eiecisti? an forte quia uim nullam, nisi uerborum adhibuisti, illum abs te negabis eiectum? At ne Satan quidem, cujus opera homo è paradiso expulsus est, uim ullam adhibuit, sed fallax consilium, quod omnem uim superat. Hunc [l]tu secutus, impio tuo consilio Regem impulisti ut se ab ecclesiæ communione sejungeret, atque ita patriam cum ipso, ac matrem omnium nostrum, ipsam [m] ecclesiam nefarie prodidisti, ad quam oppugnandam Satanæ omnes aditus aperuisti in perniciem tum animarum, tum corporum. An non hæc abs te commissa sunt? Sunt quidem, atque ita, ut, qui tecum comparare [n] uelit cæteros, qui in eadem causa fuerunt, eorum uicem commiserans merito doleat, ubi grauiter succenseat atque indignetur; illi enim magnis tentationibus et a dextris, et a sinistris oppugnati, cum iis diu restitissent, tandem impio consilio assensi sunt. Tu non solum sponte tua abijsti in consilium impiorum, sed in eo, atque in uia peccatorum ita stetisti ut Regem in eadem magis confirmares, ac denique te ipsum in cathedra pestilentiæ, derisorumque constitueres; quod quidem de nullo peccatore uerius, quàm de te dici potest, qui cum primum ad cathedram episcopalem es uocatus, ob id es uocatus, ut Deo, atque hominibus illuderes, qui in ea actionum tuarum initium cepisti à Regis tui illusione, qua simul patriæ et ecclesiæ illudebas. [o] Quid horum est, quod negare possis? Recognosce acta tua, et illud primum, [p] cum Archiepiscopus, et regni primas à summo [q] Pontifice factus, atque in eius uerba [r] iuratus, statim contra fidem, contra iusiurandum ad eius auctoritatem abrogandam consensisti. Nonne tum in consilium impiorum abijsti? postea vere nonne in uia peccatorum stetisti, atque in derisorum cathedra sedisti, cum causam divortij inter Regem, et Reginam, quæ causa coram summo Pontifice agebatur, ad te [s] auocasti, proque ea auctoritate quam tibi periurus impie arrogaras, utrumque citasti? Reginam uero, quæ causæ suæ æquitate nitebatur, cum, pronunciata iniquissima sententia, contumeliose dimisisses, Regi ipsi, quo maiorem uerbis honorem habebas, hoc re ipsa grauius illudebas. [t] Nam quid aliud nisi illusio fuit, cum pluribus eum hortabere, ut, quod ipsum constabat omnibus modis conari, uxorem a se demitteret? Deinde, quasi diffideres, hoc te illi persuasurum, additis censurarum minis, nonne magis ei illudebas, quem scirent omnes nullo neque divinarum, neque humanarum legum metu, ut eam diutius retineret, adduci posse? Quid uero? annon tecum ipse ridebas, cum tanquam seuerus iudex Regi minas intentares? equidem hæc tum in quodam scripto legens, quod consilij regij nomine exierat, lacrymas tenere non potui, cum Principem illum, quem unice amarem, et colerem, eo adductum uiderem, ut ei non solum impune liceret illudere, sed ipso etiam iubente, atque adeo præmium proponente. Tua uero ista illusio quam pestifera, quam [u]exitiosa [x]unicuique huic regno et patriæ nostræ fuerit, satis ea declarant, quæ statim sunt consecuta. Quid enim mali non inuexit ea sententia, quam ipse pro tribunali sedens tulisti, ut Rex uxorem legitimam, qua cum, prole suscepta, amplius viginti annos coniunctissime uixerat, dimitteret, seque à communi omnium matre ecclesia abiungeret? quanta inde bonorum cædes, quot spolia ecclesiarum, quanta clades nobilitatis, quanta populi oppressio consecuta est! An unquam in ullo regno tam breui tempore tanta tamque perniciosa facta est omnium legum, iurisque mutatio? quorum tu quidem malorum omnium es reus, qui portam Regi, qua ab ecclesia exiret, aperiens, spirituales nequitias ad eam in hoc regno uastandam, ac penitus euertendam introduxisti. quare si clamarem ad Deum, ut sanguinis servorum suorum, totque scelerum pœnas de te sumeret, annon iuste clamarem? quod profecto facerem, si hæc tantum spectarem, at cum ad sanguinem eius, qui mortem pro salute impiorum pertulit, mentem cogitationemque conuerto, cogor tantisper uocem continere, dum quid [y]uoci misericordiæ eius respondeas, intelligam; quæ uox si ad aures tuas peruenire poterit, uehementer gaudebo, et, ut possit, [z]omnes sane modos quæro; quorum unus est is, quo iam uti cœpi, ut tibi ea mala in memoriam redigerem, quæ auctoritas illa, quam tibi contra ecclesiæ leges arrogasti, [a]huic regno intulit. Quæ quis secum animo reputans, existimet, te, qui præter cæteros ambitione, et superbia Deum offenderis, cum nouam opinionem, doctrinamque de maximo religionis nostræ mysterio proponis, unum plus omnibus sapere in ijs cognoscendis [b]quæ reuelantur? Quanto uerius putandum est, te minus omnibus sapere, et, quam antea cognitionem habueris, eam malitia, et peccatis obcœcatum perdidisse? Ita sane factum est, Atque hæc est iustitiæ diuinæ ratio, ut qui Deum cognoscentes, non sicut Deum glorificaverint, tradantur primum in desideria cordis: quod tibi accidit, cum honores, et divitias, quas cor tuum desiderabat, acquireras; deinde in passiones ignominiæ, quod item tibi uenit, cum contra ordinis tui decus, contra ecclesiæ instituta et leges concubinam uxoris loco haberes. [c]Hæc vero quid aliud sequebatur, nisi ut in reprobrum sensum tradereris? et sane hic ille est sensus, quo negas contra perpetuum ecclesiæ, piorumque omnium consensum, corpus et sanguinem Christi in eucharistiæ sacramento esse. In [d]quo nimirum ostendis quam longe ab eorum pietate [e]absis, ad quorum communionem si quæris ut redeas, hanc potissimum uiam rationemque tibi proponendam duxi, ut tecum cogites, ut [f]quæras, quo aditu ad gregis Christi curam sis [g]ingressus, quid feceris, quo pacto [g]uixeris; quod si constat ad hoc te munus ob eam rem uocatum fuisse, ut hominis libidinem in gravissimam injuriam juris nomine ac specie prætexeres:—[h](Ecquis autem ignoret, te ob hanc unam causam Archiepiscopum esse factum? qui ante, cum paucissimis notus esses, nulli magis eras ignotus, quam illi, qui hunc tibi honorem detulit, de quo tantum aberat, ut cæteri cogitarent, ut ne tibi quidem ipsi in mentem uenire posset, alia uia, nisi hac, te in ovile Domini intrare posse ad officium primi pastoris in hoc regno fungendum)—[i]Itaque cum hoc inquam, constet, quis ambigat te non per

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[d] [eadem, qua solent hæretici, pœna affectus fuisset]

[e] [semper hanc nostram]

[f] [qui id quod]

[g] [asseuerunt, in controversiam revocasti, qui te eorum uestigia reliquisse, aliter atque illos sentire (illos docere: a pri. ma.) tam aperte palamque profiteris? Hoc equidem tantum dicerem,]

[h] [inuitarem, non vel hæc sola uox te adducere deberet, ut, relicta nova ista sententia ab ecclesia damnata, ad ueterem illam redires, quæ summo ipsius ecclesiæ consensu tradita semper atque retenta est, tuumque iudicium tot sanctorum patrum iudicio subjiceres: deberet quidem]

[i] [haberes: sed quo pacto factum sit, ut non habeas, dicem postea: nunc satis erit dicere, hanc vocem qua te nunc]

[k] [appello, non meam esse, sed matris]

[l] [tu imitatus, patriam una cum Rege tuo, ac matrem]

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[m] [ecclesiam prodidisti]

[n] [the words "uelit cæteros" are underscored, but are necessary towards the sense.]

[o] [Quid enim? non ita fuit? an uero hæc ipsa fingo, aut oratione exaggero? Recognosce]

[p] [cum tu jam Archiepiscopus]

[q] [Pontifice recens factus]

[r] [iuratus, contra]

[s] [revocasti]

[t] [Quid enim]

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[u] [exitiosa patriæ tuæ fuerit]

[x] [unicuique: qu?]

[y] [uoci respondeas, quæ est uox misericordiæ, intelligam]

[z] [omnes modos]

[a] [in hoc regnum]

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[b] [quæ prudentibus et sapientibus sunt abscondita, solis paruulis reuelantur]

[c] [Quæ cum ita essent, quid]

[d] [quo ostendis]

[e] [absit, ad quam ut redeas hanc potissimum rationem uiamque tibi]

[f] [quæras, quid feceris, quo pacto uixeris, quo aditu]

[g] [ingressus, utrum per ostium, an per fenestram, quod si ad hoc munus ob eam rem te uocatum ineneris, ut iniquissimam [fœdam: a pri. ma.] hominis libidinem, juris nomine, ac specie prætexeres, quis dubitet, quin per ostium non sis ingressus? Ecquis]

[h] [The hyphen and parenthesis are inserted, though not in the original, to make this passage intelligible.]

[i] [Itaque quis ambigat, te non per ostium, sed per fenestram, uel potius]

ostium, sed aliunde et quasi per fenestram, uel potius per cuniculos tanquam furem, ac latronem intrasse, intrasse autem, ut mactares, ut perderes: quemadmodum rei euentus ostendit, cum [k] per te, qui pastorem Christi gregis simulabas, in hoc regno maior facta est [l] strages, quam ab ullo unquam alibi uel aperto Christianæ religionis [m] hoste. Nec uero illud ad te excusandum quicquam valet, te neminem mactasse, sed benignum, facilemque erga omnes fuisse, hoc enim audio à quibusdam de te prædicari: sed hi nesciunt, quid dicant, non intelligunt, nec tu quidem fortasse nosti, an quenquam occideris, quia neque hoc animo in ouile Christi sis ingressus, nec, postquam ingressus fueris, tibi conscius sis, ullius te sanguinem appetisse. At hic conscientiam tuam decipit Satan, qui etsi homicida fuit ab initio, quotidieque homines suo consilio occidit, tamen si causa ei ad hominum tribunal dicenda sit, facile [n] etiam ijs ipsis, quos occidit, probet, longe se ab hoc crimine abesse, qui nihil [o] cuique suadeat et proponat, nisi honores, nisi opes, nisi [p] uoluptates, et ea quæ iucundam uitam ac plane beatam efficere uidentur? Quod si hæc [q] defensio ab homicidij culpa Satanam minime liberat, ne tibi quidem proderit, qui eius minister fuisti ad libidinem, et cupiditatem Regis explendam in turpi mulieris amore, in honoribus non legitimis, in diuitijs, atque opibus iniuste comparandis, quem tu, et si mortem eius non appetebas, tamen hac ratione [r] crudelissime necasti, et per eum quam plurimos alios:

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[k] [per te Christi gregis]

[l] [cædes]

[m] [hoste. Hæc uelim tecum ipse recorderis, [recognoscas: a pri. ma.] ut carcere inclusus et capitis iudicium iam subiturus, non te ipse excuses, sed condemnes, et cum latrone illo, qui una cum Christo in cruce suffixus fuit, dicas, Nos digna factis recipimus, simulque filii Dei [Dei filij: a pri. ma.] pro omnibus crucifixi misericordiam implores. Quod si feceris, iam tibi ueniam paratum uideo, cuius consequendæ hæc una reliqua est uia, et ratio. quam scilicet ob causam ea nunc ipse commemoraui, tibique ob oculos posui, quæ in conspectu omnium per te sunt admissa. Nec uero...(This passage is crossed out, not underscored.)]

[n] [etiam apud eos ipsos, quos]

[o] [cuique persuadeat nisi ea, quæ homini in hac vita iucunda sunt. quæque quisque maxime expetit, et quæ ad uitam jucunde traducendam in primis facere uidentur. [uitam in uoluptate traducendam in primis faciunt: a pri. ma.] Quid enim aliud Satan proponit nisi honores]

[p] [uoluptates, nisi denique omnia, quæ iucundam]

[q] [defensio Satanam ab homicidij culpa minime]

[r] [crudelissime omnium]

[s]id enim ueneni genus ei porrexisti, cui nulla humana ope occurri [t]posset, cum has illius [u]cupiditates honestatis et iuris specie tegeres; in quo sane eius animum per libidinem magis corrupisti, quam si leno impudicas mulieres ad eum [x]deduxisses: per rapinam magis, quam si te ei comitem et ducem ad apertum latrocinium præbuisses. hæc enim flagitiorum, et facinorum genera pœnitenter corrigi possunt, quod fieri quotidie uidemus; at [y]cum recti et iuris species, ac nomen delictis prætenditur, id uero eorum cognitione sublata pœnitentiam prorsus excludit, et omnem salutis spem aufert: quemadmodum Regi tum accidisse uidimus, maxima cum ipsius ac totius regni [z]calamitate et pernicie. Hæc si tecum ita reputes, teque tot tantorumque flagitiorum, et facinorum, quorum [a]auctor ac minister fuisti, ex animo [b]pœniteat, teque ipse damnes, cum latrone illo, qui cum domino in crucem suffixus fuit, dicas, Nos digna factis recipimus, simulque filii Dei pro omnibus crucifixi misericordiam imploras, tunc quidem faciliorem exitum è carcere tenebrarum, in quo iamdiu es inclusus, et aditum ad lucem ac ueniam reperies. Tibi hæc una reliqua est ad ueritatem percipiendam, et salutem consequendam uia, quam nisi ingressus fueris, frustra tu quidem uel in scripturis sacris uel in alijs [c]libris, ueram Christianæ doctrinæ intelligentiam quæris, frustra alij, qui te ab errore, et falsis opinionibus auocare student, laborant. Quare hoc te primum admonitum uolui, ut si quando Deus det tibi pœnitentiam, [d]ut resipiscas a diaboli laqueis, tum locus aliquis 2 Timo 2

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[s] [hoc]

[t] [posset, idque fecisti, cum]

[u] [cupiditates iuris]

[x] [deduxisses: in rapinis autem magis, quam si comes eius et dux ad apertum latrocinium fuisses. hæc]

[y] [cum delictis recti et iuris species, ac nomen prætenditur, id uero pœnitentiam]

[z] [calamitate. Et quo nunc facile intelligi potest [quæ nunc iccirco commemoro ut intelligas; a pri. ma.] (si modo per pœnitentiam Deus oculos tibi aperiat) qui tam sedulus minister fueris operum tenebrarum, minister libidinis in amore turpi, minister ambitionis in alieno honore ocnpando, minister iniustitiæ in alienis bonis rapiendis, te minime idoneum ministrum, et doctorem esse posse, ac ne discipulum quidem eius ueritatis, cuius intelligentia etiam angeli naturalem intellectum superat. Hæc si...(This passage, like the former, (p. 621) is crossed out.)]

[a] [auctor fuisti]

[b] [pœniteat, tunc quidem]

[c] [libris, dogmatum Christianæ religionis ueritatem quæris]

[d] [ut a laqueis diaboli euadas, tu]

detur aspiciendi lucem ueritatis, cum cæteris in rebus, tum in hoc, de quo nunc agimus, mysterio corporis Christi, quod in sacramento altaris esse negas, [e]atque, ut ita credas, scripturæ uerbis adduci tu prædicas. Ego uero quid hic agam? tecumne disputem? id [f]quidem facere non negligerem, si quæ spes mihi ostenderetur, fore, ut hâc ratione tibi prodessem. At quid sperem? cum uideam [g]nihil ea tibi profuisse, quæ cum alij permulti, tum vero Joannes Fischerius episcopus Roffensis, uir sanctissimus, atque doctissimus hac ipsa de re egregie scripta reliquit, nihil Oxoniensem disputationem nuper habitam, qua quidem ad tuam utilitatem suscepta, tamen non modo ab errore tuo abduci non potuisti, sed in eo obfirmatior, ac pertinacior es factus, quod sane non culpa illorum accidit, qui tibi lucem veritatis afferre studebant, sed quo maior oblata lux est, hoc minus ab ægris oculis tuis ea ferri potuit, teque magis excœcauit. Quid igitur? Si tecum non disputem, quo pacto id assequi potero, quod in primis opto, ut te, qui, nisi argumentis uictum, sententiam nunquam mutaturum profiteris, ad ueritatis cognitionem perducam? At non id ego profiteor; hoc eius est, qui lucem creauit, eamque a tenebris diuisit: meæ partes sunt, uiam, quæ eo ducit, ostendere, quod magna iam ex parte feci, cum te ad cognitionem eorum, quæ diuidunt inter te, et Deum, idest, peccatorum, quibus Deum grauiter offendisti, teque ab eo seiunxisti, et ad pœnitentiam atque ad implorandam diuinam misericordiam hortatus sum. Ad quæ si hoc adiunxero, ut tibi fontem ostendam erroris tui in praua ista, peruersaque de sacramento Eucharistiæ sententia, simulque Deum pro salute tua precer, quod sane ex animo facere non desisto, tum quidem munus meum expleuero. Tuus hic error inde manat, unde Saduceorum hæresim Christus ortam affirmat, cum ad eos ait, Matth 22° "Erratis nescientes scripturas, neque uirtutem Dei." illi autem in hunc errorem inciderunt, ut resurrectionem mortuorum negarent, propter ignorantiam tum scripturarum, quas partim rejiciebant, partim non recte interpretebantur, tum etiam potentiæ Dei in mortuis excitandis. idem nunc de te dici potest, deque iis omnibus, qui negant, uerbis Christi a sacerdote prolatis, panem et uinum in eius corpus, et sanguinem conuerti. Vt enim apud Ezechielem prophetam est scriptum de ossibus illis in amplissimo campo late [h]dispersis, cum Deus ab eo quæsisset, "Fili hominis, putes ne ossa ista uiuant? atque [i]ille respondisset, Domine tu [k]nosti," prophetante illo, et uerba Dei ut ab illo iussus fuerat dicente ad ossa "ut illa, quæ arida erant, atque dispersa coniungerentur, ut uitam per spiritum acciperent," idem etiam de pane, et uino, quæ a sacerdote consecrantur dici potest, ea per uerbum Dei, ui et potentia Spiritus in Christi corpus, et sanguinem conuerti. quod etsi humanum intellectum longe superat, uim tamen et potentiam Dei non superat, ut quod per se quidem nemo scire potest, hoc per fidem intelligatur. Hanc Dei potentiam qui ignorant, nec scripturarum sensum, in hac præsertim re intelligere possunt. At dices, te neque mutationem hanc uidere, sicut Ezechiel coniunctionem ossium, per neruos, et iuncturas in spiritu uidit; neque ut Deum id posse credas, tamen hoc tibi necessitatem afferre credendi, id ab eo fieri: quàm multa enim esse, [l]quæ potest Deus facere, quæ tamen non facit? Itaque qui tuam uelit hac de re opinionem refellere, non hoc ei argumento esse utendum, ut ostendat, Deum posse, sed ex scripturis docendum, uelle; neque enim te potentiam Dei negare, sed uoluntatem, quam si quis ostenderit, omnem statim controuersiam sublatum iri. Ego uero quid afferam, ex quo Dei uoluntas hac in re tibi nota, atque explorata sit? unde eam exquiram? unde eliciam? an non ex scripturis? hanc illæ quidem continent, per eas enim uoluntas Dei uobis reuelata est. at quibus nobis? non enim qui scripturas legunt [m]omnes eodem modo eas in omnibus intelligunt, atque interpretantur. Quo ergo confugiam? quem interpretem quæram? ecquem alium potius, quam ecclesiam, quam Paulus Apostolus columnam, et firmamentum ueritatis appellat? 1. Timo. 3. Hæc uero ita uoluntatem Dei hac in re ostendit, ut nulla pars orbis terrarum sit, cui non eam declarauerit, cuius rei si testimonia requiris, iam inde ab Apostolorum temporibus usque ad hanc diem omnium ætatum testimonia afferri possunt. qui enim ubique pietate, et intelligentia scripturarum præstiterunt, ac munus docendi in ecclesia sustinuerunt, omnes, quasi unius hominis uox esset, quasi cor unum, et anima una, [m]ita plane de hoc altaris sacramento inter se consenserunt, [n]ac cum de reliquis fere omnibus fidei, et religionis nostræ articulis aliæ alijs temporibus excitatæ sint contentiones, et controversiæ, tamen mille annorum [o]spacio, ne mentio quidem cuiusquam inueniatur, qui de eo unquam dubitauerit. Post millesimum iam annum, ut ante dixi, cum res in controuersiam a diacono illo Andegauensi uocaretur, ita eius opinio a multis pijs, et doctis uiris oppugnata fuit, in primis autem à Lanfranco Archiepiscopo Cantuariensi, ut in palinodia canere coactus fuerit. quid ergo? num maius in hac causa testimonium consensus ecclesiæ, et uoluntatis Dei, quæ illi reuelata est, dari potest, quam perpetuum tot ætatum silentium? Et sane singulari Dei prouidentia ita factum [p]uidetur, quasi hoc significaret Spiritus Sanctus, qui ecclesiam regit, si qui postea Satanæ impulsu hac ipsa de re controuersiam excitaturi essent, eos [q]uel hoc uno argumento consensus [r]tot sæculorum conuincendos fore, quo certe nullum maiorem uim habere debet apud [s]eos, qui hanc sententiam sapere velint, quorum in numero si tu esse pergis, tum quidem ego frustra tecum loquor. quid autem reliquum est, nisi ut aut istam arrogantiam profiteare, aut neges tot sæculorum consensum? quem sane haud difficile sit ostendere, collectis singularum ætatum testimonijs. sed hic labor minime est necessarius, [t]cum id ante et multi alij frequentissimi, et nuper [u]Chutbertus Tonstallus episcopus Dunelmensis fecerit, ut tuam, et tui similium pertinaciam hac in re conuinceret. In libro de Eucharistia impresso Lutetiæ 1554. at hoc te consensu conuinci non pateris, uerum ad scripturas prouocas, et argumenta quibus licet uincaris. Sicut proxime es uictus in disputatione Oxoniensi; sicut ante etiam a Stephano Gardinero Episcopo Wintoniensi, in eo libro, quem contra tuum scripsit, tamen nunquam te uictum fateris; qui semper scripturam tecum facere contenderis: quod quid aliud est, quam non solum eos, qui nunc catholicam doctrinam profitentur, sed omnem antiquitatem inscitiæ Scripturarum condemnare, earumque intelligentiam tibi præter cæteros omnes arrogare? quod quidem ut superbiæ, sic etiam ignorantiæ scripturarum certissimum est indicium. Nam quæ in his traduntur, 1 Pet 5 "non superbis, sed humilibus reuelantur. illis enim Deus resistat, his dat gratiam." Apostolus etiam quos superbiæ notat, eosdem inscitiæ damnat, cum dicit, eos nihil scire et languere 1 Timo 6 circa quæstiones et pugnas verborum. Tuæ autem [x]ignorantiæ et languoris quod maius argumentum afferri potest, quam quod eam rem in quæstionem et controversiam reuocas, de qua nemo qui de fide recte sentiret, unquam dubitauit? Hanc [y]vero ignorantiam et languorem ex uitio superbiæ longe grauissimo existere, nonne id maxime indicat, quod in ea parte scripturæ quæ doctrinam maximi mysterii religionis nostræ continet, tibi uni plus intelligentiæ [z]assumis, quam tota ecclesia per mille annos, uel potius ex quo constituta est, ad hanc diem habuerit: nec enim ullus unquam inuentus est, qui uerba Christi hoc sensu, quem tu sequeris, interpretarentur, præter illos, qui ab universa ecclesia impie recesserunt, meritoque damnati sunt. Quid igitur hic agam, aliave argumenta conquiram, ut ostendam te non intelligere scripturas? Hoc enim uno tibi, tanquam clave Herculi, erepto, tota scilicet tua causa [a]concidet. At si

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[e] [teque] [f] [quidem paratus essem facere, si quæ] [g] [nihil tibi]

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[h] [dispersis, Deum ab eo quæsisse, Fili]

[i] [illum respondisse]

[k] [nosti. ita ex sacerdote quæri potest [posse: a pri. ma.] cum panem, et uinum ante oculos habet, Putasne hæc in corpus, et sanguinem Christi conuertentur? Atque ille merito, ut Propheta, respondere, Domine tu nosti; nec enim quisque est hominum, qui per se hoc scire potest, quod per fidem credimus, humanum enim intellectum longe superat, sed uim, et potentiam Dei non superat. Igitur quod post Ezechiel dixit, et tum esse [factum esse: a pri. ma.] prophetante me, et uerba Dei dicente ad ossa.]

[l] [sunt]

[m] [omnes de uoluntate Dei omnibus in rebus inter se consentiunt, siquidem eas alij aliter interpretantur, nec fere quicquam est, de quo maior uidetur esse dissentio, quam de sensu scripturarum, ut hoc tempore in [ut in: a pri. ma.] hac ipsa re, de qua nunc agimus. Quo ergo]

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[m] [ita de hoc]

[n] [ut]

[o] [spacio in tot concilijs, quæ ad extirpandas hæreses sunt habita, ne mentio quidam alicuius hæretici inueniatur,]

[p] [uidetur, ut nemo palam in Ecclesia hanc ueritatem oppugnare auderet, priusquam mille annorum silentio corroborata plane fuisset, quasi hoc]

[q] [vel de hoc]

[r] [tot annorum atque ætatum conuincendos]

[s] [eos, qui per mille annos, hanc sententiam, quam nos defendimus, tu oppugnas, secuti sint, tum quidem frustra]

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[t] [cum id et alii multi ante, et nuper doctus vir Chutbertus]

[u] [sic]

[x] [autem languoris quod maius]

[y] [uero languorem]

[z] [arrogas]

[a] [concidet. Ego uero, ut initio dixi, ob id scio te errare, quod

quid hactenus a me dictum est, nec quæ ab aliis item contra sunt allata, sufficiant, quo pacto tuam hanc ignorantiam ut perspicias, assequar? [a]In primis quidem, ut Deum patrem per unigeniti eius filij mortem [b]precabor, ut oculos tibi, et [c]aures, ad ueritatis uocem audiendam, et inscitiam tuam agnoscendam tibi [d]iuuerit. Quod si uerbis etiam tentandum sit, ne id [e]quidem omittam, atque illud primum, quid sit scripturas intelligere. hoc enim scio te ignorare, qui præter cæteros earum tibi intelligentiam arrogas: intelligit is autem scripturas, qui consilium Dei in eis nouit, sicut legem intelligit; qui consilium legislatoris, ac uoluntatem nouit, [f]quam recte legis animam uocant, atque hoc illud est, quod Apostolus significat discipulos suos monens, cum ab illis discederet. "Omne Dei consilium Act 20. notum [g]uobis feci." quod idem valet, ac si diceret, clauem scientiæ uobis tradidi, et regulam operum: utramque enim habet, qui Dei consilium in uerbo eius nouit. nouit is autem, qui potentiam uerbi cognoscit, et ideo Christus, cum Saducæis dixisset, Erratis non intelligentes scripturas, addit, neque uirtutem Dei, quæ scilicet per uerbum eius se ostendit, quam qui ignorat, uerbum etiam Dei ignorat. quod si paulo obscurius fortassis est [h]dictum, planum feci ex ipsius Apostoli uerbis, qui de uerbo crucis loquens, summam potentiam eius hanc esse ostendit, "ut 1 Cor. 2. perdat sapientiam sapientum, et prudentiam prudentum reprobet. hoc Dei consilium, ut idem Apostolus docet, nemo nouit, nisi is, cui Spiritus Dei reuelauerit. Vt enim nemo nouit, quæ sunt in homine, nisi spiritus hominis, sic nemo, inquit, nouit, quæ sunt Dei, nisi spiritus Dei, et cui spiritus Dei reuelauerit." Hoc autem consilium nobis reuelatum est cum per eos,

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scripturas, et Dei potentiam ignoras, quæ eadem est hæreticorum omnium erroris causa, at Christus saducæos arguens significat. Verum si quæ hactenus a me dicta sunt, nec quæ ab aliis]

[a] [Hoc quidem primum faciam, ut Deum]

[b] [precer, ut pro immensa sua misericordia, oculos]

[c] [aures aperiat, ut ueritatis uocem audias, et inscitiam tuam agnoscas. Quod]

[d] [qu?]

[e] [quidem facere negligam, atque illud tibi primum conabor explicare, quid sit]

[f] [quam iurisperiti animam legis uocant,]

[g] [nobis fecit]

[h] [dictum, sic planum faciam]

qui primi donum Spiritus acceperunt, et Christi doctrinam ex ipsius ore hauserunt, tum etiam per illum qui cum in terris cum Christo uersatus non esset, raptus est usque ad tertium cœlum,
2 Cor 12 ubi arcana illa uerba audiuit, quæ effari non licuit; quæ uero enunciauit, ea sane omnia ad consilium Dei in Christi doctrina explicandum pertinent, quod eo scilicet spectat, ut perdat sapientiam sapientum, et prudentiam prudentum reprobet, sicut
1. Cor. 1. idem Apostolus docet. "Quia non cognouit mundus per sapientiam Deum, placuit Deo per stultitiam prædicationis saluos facere credentes." Ecce [i]divinum consilium in homine servando, quod Deus, postquam homo peccauit, statim exequi cœpit, ut cum is perijsset, Deum per sapientiam [k]ipsius non agnoscens, ita scilicet ut eum glorificaret, seque ei gratum præstaret, per id, quod stultum uidetur homini, seruaretur. qua nimirum est
1. Cor. 1. uerbi Dei, "et crucis Christi uictoria; ut quod stultum est Dei, sapientius sit hominibus;" hæc enim præcipua [l]sunt arma, quibus homo assidue cum Deo pugnat. [m]sapientia, et prudentia carnis, quæ arma dux aduersariorum Dei, et princeps Satan, homini primum dedit. Hæc prima nostra mater accepit, cum Deum non agnoscens, ut debuit, in operibus sapientiæ consi-
Gen 2. lium, quod serpens ei dederat, secuta, felicitatem suam augere uoluit, ut et corpus pernicioso cibo pasceret, et animam scientiæ non boni tantum, quam solam ei Deus tribuerat, sed etiam mali, quam idem lege, et mandato suo prohibuerat. hic primum Satanæ opera cum Dei uerbo institutum est bellum, quod ille perpetuo deinceps fouit, et aluit, hoc uno consilio, ut persuadeat, sapientiæ, et prudentiæ suæ hominem confidere oportere, cuius rei contrarium spiritus Christi suadet, ut spei scilicet nihil in sua homo sapientia, et prudentia constituat, [n]sed uni Dei patris sapientiæ, bonitatique plane confidat, et eius legi tanquam paruulus pareat. Hoc spiritûs Dei consilium cum caro
1 Cor 15 aspernaretur, nullus fuit belli inter Deum, et hominum finis,
Cap 9 quod secundus ille homo de cœlo cœlestis, quem Esaias propheta magni consilij Angelum uocat, in terras descendit, ut
Rom. 16 arcanum illud consilium in sinu Dei patris temporibus æter-

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[i] [Dei]
[k] [suam]
[l] [sunt hominis arma, quibus assidue]
[m] [sapientia uidelicet, et]
[n] [sed uni patris]

nis tacitum atque angelis diu ignotum, nobis aperiret, cuius summa hæc fuit, quam ex Apostoli uerbis supra ostenditurus, "Quia scilicet mundus non cognouit per sapientiam Deum, 1 Cor. 1. placuit illi per stultitiam prædicationis saluos facere credentes, ut hoc modo perderet sapientiam sapientum, et prudentiam prudentum reprobaret, per quam mundus perditus fuerat, et reprobatus." Christus autem consilium hoc non solum enunciauit, sed etiam est executus, quemadmodum Esaias prædixerat, "Et uoluntas Domini in manu eius dirigetur," quod Cap 53 ipse quidem cùm in omni uita, tum uero præcipue in morte sua præstitit, quæ huius consilii finis atque perfectio fuit, sicut ipse cruci affixus, iamque spiritum emissurus, dixit, "Consummatum est." Cum uero quæ ad nostram salutem Ioann 29. pertinebant, omnia ex Christi morte penderent, ex hac etiam effluxere uniuersa sacramenta, quorum cum nullum sit, in quo per uerbum Dei, quod homini uidetur stultitiæ uerbum, non id euertatur, quod ad sapientiam, et prudentiam carnis pertinet, tum uel maxime hoc fit in baptismi, et Eucharistiæ Sacramentis, quorum alterum ad salutis nostræ initium, alterum ad perfectionem spectet, ita enim utcunque in sacris Literis traditur, [o] ut constet, quo magis ea quis ad sensum hominis, uel intellectum accommodare uelit; hoc eum abesse longius ab eorum intelligentia, quique iudicio rationis, ac prudentiæ humanæ maxime dociles uidentur, hoc ad percipienda ea, quæ de his sacramentis traduntur, minus idoneos esse. Quis enim, si personam Nicodemi cum Christo loquentis spectemus, et iudicium rationis ac Ioann 3. prudentiæ humanæ sequamur, aptior eo discipulus esse potuit? qui quidem, [p] cum primum ad Christum noctu se contulisset, ea re [q] magnum discendi studium indicauit, quod excitarat fides ex Christi miraculis concepta, quæ ipsum in admirationem doctoris adduxit, accedebat etiam scientia [r] legis, quæ est pædagogia ad Christum. Num maiora signa docilis atque idonei discipuli humana ratio et prudentia requirat? Magna quidem hæc sunt, uerum si ob ea quis de uerbo crucis, quo uniuersa Christi doctrina continetur, se iudicare posse existimet, non modo hæc illi non proderunt, sed magno etiam erunt impedimento: ad mysteriorum enim Dei intelligentiam plus confert paruuli fides, qui nihil iudicat, nihil quærit, omnia credit, ac simpliciter accipit, quam omnis humana uel sapientia, uel prudentia, qua qui est præditus, eam relinquat necesse est, ut uerbi Christi idoneus sit auditor, sicut ait Apostolus, "Si quis uestrum uidetur esse sapiens in hoc seculo, stultus fiat, ut sit sapiens. Christus enim Apostolos, et discipulos suos alloquens, Nisi, inquit, conuersi fueritis, et effeciamini sicut paruuli, non intrabitis in regnum cœlorum; et, si quis non receperit regnum Dei sicut paruulus, non intrabit in illud." Quamdiu enim, quis, audito Christi uerbo, quærit, quomodo hoc uel illud fieri possit, sicut Nicodemus, cum illud audisset, "Nisi quis renatus fuerit denuo, non potest uidere regnum Dei; quæsiuit, Quomodo potest homo nasci cum sit senex? Nunquid potest in uentrem matris suæ iterato introire, et renasci?" quamdiu, inquam, aliquis ita quærit, uel hac una re, se non idoneum doctrinæ Christi discipulum reddit, etiam si abunde ei adsint reliqua omnia, quæ iudicium rationis humanæ in discipulo requirit, quemadmodum hoc Nicodemi exemplum ostendit, qui quo magis quæreret, et [s]dubitaret, eo tardior ad [t]intelligendum, atque obtusior est factus, ut tandem ne terrena quidem (quod ei Christus objicit, satis perciperet, nedum cœlestia. ex quo, quid impediat, quominus quis idoneus Christi discipulus fiat, quid contra adjumento sit, facile intelligere possumus. Sed quid hæc ego nunc ad te, qui non de baptismo, sed de Eucharistia a nobis dissentire profiteris? ut nimirum, cum nos asseramus corpus, et sanguinem Christi sub specie panis, et uini a sacerdote consecrati uere, ac re ipsa contineri: tu contra, hæc signa tantum esse, idque ex scripturæ et Christi uerbis constare affirmes, ostendam, te non idoneum doctrinæ Christi discipulum, ac multo minus doctorem esse posse. Id autem nonne satis probauero, si [u]ad ea, quæ iam dixi, addam, te, cum minus malitia corruptus uidebare, idem, quod nos sensisse; tum uero sententiam mutasse, cum iam periurus palam esses factus, cum impurior uita accederet. An his te artibus in lectione scripturæ profecisse putas, ut abditos sensus uideres, quos ante non uideras? nonne uel hoc unum satis

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[o] [ut aperte constat]

[p] [cum ad]

[q] [summum

[r] [legis diuinæ, quæ]

1 Cor. 3

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[s] [dubitaret, quod non faciunt paruuli]

[t] [intelligentiam]

[u] [præter]

uidetur ad probandum te minime dignum cui fides habeatur, nouos sensus afferenti, sed hoc potius putandum, si quid antea recte intellexeris, hanc tibi lucem, ueritatemque impuræ uitæ sordibus ereptum, malitiaque mentem tuam esse obcœcatam? Atque ita sane res habet, "quia initio cum cognouisses Deum, Rom I non sicut Deum glorificasti," aut gratias egesti, primum in passiones ignominiæ a diuina iustitia merito es traditus, deinde in reprobum sensum, qui sensus in primis hic est, quem sequeris de sacramento corporis Christi, quo sensu nihil potest esse magis reprobum, atque (id quidem in te) non modo grauissimum est peccatum, sed pœna etiam maxima peccati. Hæc, inquam, non satis esse debent, ad persuadendum, ne tibi ipse credas in nouis sensibus diuinæ scripturæ probandis, atque sectandis, ac multo minus cæteri? Sed hæc nolo satis sint, quin addam, etiam si anteacta uita tua in conspectu hominum probata esset (quod de nonnullis hæreticis fertur) etiam si studiosissimus esse scripturarum, si [x]cupidissimus ueritatis, si ingenio[y] plurimum ualeres, tamen hæc omnia in hac doctrina sacramenti altaris, si unum illud abesset, ut quæ a Christo, et ecclesia de eo sunt tradita, ita acciperes quemadmodum paruulus solet[z], quæ a magistris, et parentibus sibi traduntur, nihil omnino prodessent, atque hoc amplius dico, nisi hæc ita acciperes, ut iumentum solet a domino suo pabulum, nunquam profecto ea intelligeres, ut postea ex scripturis ostendam. Tuus igitur iste error inde oritur, quod tu, ut sapiens[a] et prudens hæc audis: talibus uero doctrinæ suæ mysteriæ esse abscondita, lætatus est Christus, atque exultauit. Dico autem te, ut sapientem[b] et prudentem hæc audire, quia[c] si in hoc altaris sacramento dicatur esse non uerum corpus, sed signum, et figuram tantum ueri corporis Christi, ut tu affirmas, iam non solum Judæis, sed omnibus etiam mundi sapientibus, nihil absurde dici uideatur. Cum enim Judæi, cum sapientes audiunt, panem illum, et uinum converti in corpus et sanguinem Christi; id illis[d] ita uidetur absurdum, ut nihil ab humano ingenio excogitari possit absurdius. Tu uero, scilicet ut sapiens doctor, ad hoc absurdum tollendum, sic rem interpretaris, ut dicas, panem, et uinum esse tantum signa, quibus admonemur mortis[e], quam Christus pro nobis passus est. Ita omne quidem absurdum tollitur, at illud tolli[f] certe non potest, quod tanquam fundamentum totius religionis[g] nostræ positum est, Christum filium Dei pro peccatis nostris in cruce esse mortuum. Atqui hunc non esse uerum de sacramento corporis, et sanguinis Christi sensum, uel hoc ipsum declarat, quod is humanæ rationi magis accommodatus est. Paulus enim Apostolus cum de uerbo crucis loquitur, non minus ueretur Judæorum, et gentium offensionem in ijs, quæ ad fidem spectant, tollere, quam in iis, quæ ad mores pertinent, afferre. negat enim "se docuisse in persuasibilibus humanæ sapientiæ verbis, ne euacuaretur crux Christi," hoc est, ne tolleretur scandalum, atque offensio, quæ sapientibus, et prudentibus huius mundi ex ea doctrina oriebatur. Hinc apparet, quo pacto non modo scandalum non uitauerit, sed necessarium esse duxerit, ne inanis fieret eius prædicatio. Fit autem inanis, ut eius uerba, quæ sequuntur, ostendunt, cum mysterium crucis, et passionis Christi ita prædicatur, ut neque Judæis scandalum, neque Græcis, id est, huius mundi sapientibus, stultitia esse uideatur. Quod si dixeris[h], non de cruce, et morte Christi, sed de eius corpore, quod[i] nos sub specie panis et uini continere[k] asserimus, nunc agi, at illud negare non poteris, si Christo, cum uenisset in mundum, propositum hoc fuit, ut perderet sapientiam sapientum, et prudentiam prudentum reprobaret; id quidem multo magis fieri, cum docetur, eius corpus nobis sub specie panis manducandum dari, quam cum idem, qui Deus esset, et homo in cruce pro humani generis salute mortuus esse traditur. hæc enim doctrina non ita perdit hominum sapientiam, et prudentiam, quia non ita[l] stultitia ijs uidetur, ut qui ante crederent, Deos se humana specie in terris ostendisse: nam si illud uidetur absurdum, Dei filium mortem pro hominum salute pertulisse, at homines sæpe extitisse, qui sese[m] pro aliorum salute deuouerint, idque dignum laude habitum fuisse gentilium[n] historiæ tradunt. Itaque cum proprium Dei sit, benigne facere, si Deus aliquis, hominis forma, naturaque suscepta hoc idem pro humani generis salute passus diceretur; ne id quidem ab humano sensu atque intellectu prorsus alienum uideretur. Ergo non ita Christus hac doctrinæ parte, qua eius mors prædicatur, humanam sapientiam, et prudentiam perdidit: at cum traditur[o], sub specie panis, et uini contineri uerum ipsius corpus, quod cruci affixum fuit, et sanguinem, quem pro nobis effudit, hic uero stupet tam sensus, quam intellectus. hoc utriusque captum longe superat. Quod si Christus lætatus est, doctrinæ suæ mysteria sapientibus, et prudentibus esse abscondita, et reuelata paruulis; ecquid illum magis quam hoc delectare potuit? quod quidem nemo credat unquam, nisi qui paruulus, et tanquam iumentum efficiatur: lætatus est autem Christus, atque ut ait Euangelista, exaltauit in spiritu, propterea quod ex ijs, quæ docuerat, uideret iam quasi initium uictoriæ uerbi sui contra humanam sapientiam, et prudentiam, cum paruuli, qui ad eius disciplinam dociles erant, undique ad ipsum confluerent, sapientes autem, et prudentes offensi auerterentur. qua de re gratias egit patri, idque antequam uenisset hora, qua corpus et sanguinem suum sub specie panis et uini discipulis manducandum, et bibendum daret. quæ hora postquam uenisset, quasi adesset illa, quam diu optauerat, perfecta uerbi sui uictoria, "tum discipulis, Desiderio, inquit, desideraui hoc pascha manducare uobiscum, antequam moriar," Luc. 22 ac de quo prius patri gratias egerat, cum hanc ipsam uictoriam prospiceret, de eo tunc rursus eidem gratias agens pane, et calice in manus sumpto, sic uerbo uicit, ut panem, ac uinum, in corpus et sanguinem suum admirabili sua ui et potentia conuersum discipulis id ipsum credentibus in cibum, et potum daret, quæ quidem perfecta fuit uerbi crucis uictoria. Tunc enim Christus plane perfecit, quod Apostolus de uictoria uerbi, deque potestate sibi, ut uerbi ministro concessa ait, "Arma militiæ meæ non carnalia 2 Cor. 10. sunt, sed potentia Dei ad destructionem munitionum, consilia destruentes, et omnem altitudinem extollentem se aduersus scientiam Dei, et in captiuitate redigentes omnem intellectum in obsequium Christi." Quod quidem in nulla alia Christi doctrinæ parte plane profectum fuerat, antequam uentum esset ad hoc sacramentum, quod ideo sacramentum sacramentorum appellatur, quia ad ipsum tanquam ad finem reliqua omnia sacramenta referuntur. At hoc dices à nobis excogitatum fuisse, ad scripturam scilicet, prouocans. Ego uero te ideo scripturas ignorare dixi, quia ostendis, te consilium, ac uoluntatem Dei in eis minime intelligere, quod quidem non omnibus datur, quinimo nulli datur, nisi Christi amicis, ut ipse paulo ante mortem Apostolis declarauit, qui ex seruis facti iam erant eius amici. Joan. 15 Sic enim ait, "Jam non dico uos seruos, sed amicos: seruus enim non nouit uoluntatem Domini sui, uobis autem, quæcumque audiui a patre meo, omnia nota feci." Atque id tum dixit, cum, ultima cœna peracta, corpus, et sanguinem suum in cibum illis et potum dedisset, et quidem reuelato hoc mysterio, quo uno reliqua omnia mysteria continerentur[p], tempus erat, ut hoc diceret, quod antequam nunquam dixerat. Discipulis autem suis datum esse, quod aliis erat negatum, ut mysteria regni Dei intelligerent, ostendit Christus, cum sententiam cuiusdam parabolæ eis explicans dixit, Matth. 13 Mar. 4. Luc. 8 "Vobis datum est nosse mysteria regni cœlorum, cæteris autem in parabolis, ut uidentes non uideant, et audientes non intelligant." Tu igitur cum in hoc sacramento ex ipsa re parabolum facis, ostendis, te nec rem, nec parabolum nosse, longeque ab eorum spiritu abesse, quibus datum est, ut Christi doctrinæ mysteria cognoscant. atque hi quidem sunt, qui eius consilium, et uoluntatem nouerunt. ad huius autem mysterii, et sacramenti cognitionem his gradibus peruenitur, ut primum quis tanquam iumentum, deinde ut seruus, Gal 4 siue puer, qui nihil differt a seruo, tandem uero ut amicus fiat. primum gradum tum Christus significauit, cum recens natus se conspiciendum pastoribus obtulit, qui ad eum quærendum venerant in Bethleem, Luc. 2 quæ domus panis interpretatur, pannisque inuolutum in præsepi inuenerant. Sic enim Christus utcunque significauit, se et natum esse, ut cibus fieret, et salutarem cibum illis fore, qui ad eum, tanquam iumenta ad præsepe accederent, eumque pannis involutum inuenirent, sed tanquam iudices, et acres huius mysterii perscrutatores, hi omnes corpus quidem Christi manducant, et sanguinem bibunt, sed in iudicium

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[x] [cupidus]

[y] [ingenio valeres]

[z] [paruuli solent]

[a] [sapiens hæc audis, non ut paruulus; talibus]

[b] [sapientem hæc]

[c] [si sacramentum hoc altaris dicatur non esse uerum corpus,]

[d] [eis]

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[e] [mortis Christi, quam pro]

[f] [tolli non]

[g] [doctrinæ]

[h] [dixeris, nos non]

[i] [quod sub]

[k] [continetur, loqui]

[l] [ita scandalum, siue stultitia]

[m] [se]

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[n] [eorum]

[o] [docet]

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[p] [continebantur]

sibi manducant, et bibunt. hoc modo te iam pridem ad altare uenisse, qui ante ut iumentum, et paruulus uniuersam Ecclesiam sequens accesseras, noua hæc sententia, quam sequeris ostendit. Nam cum sensum, et intellectum tuum excitasti, ut de hoc sacramento ipse iudicares, inueniens humanis auribus id magis probari, quod a quibusdam dicitur, in signum ueri corporis et sanguinis Christi hoc sacramentum nobis esse datum, sensum iumenti et paruuli amisisti, atque in reprobum sensum eo traditus, id quod omnibus accidit, qui, quod Apostolus monet faciendum esse ab ijs, qui hoc sacramentum accipiunt, non obseruant, ut annunciant mortem Domini donec ueniat. qui[q] quidem de pane illo edentes, et de calice bibentes, iudicium sibi manducant et bibunt, et rei sunt corporis et sanguinis Christi, et eo quidem magis, quam uel Judas fuerit, qui Christum prodidit, uel Judæi, qui cruci affixerunt, quo maius est scelus, Christum post partam corporis sui contra mortem uictoriam, etenim tollere, quam ante cum corpus mortale gereret. Ideo autem in hoc tu scelus una cum cæteris, qui nouam impiam doctrinam sectantur, incidisti, quia, cum corpus Christi acciperes, non ita accepisti, ut Paulus Apostolus docet, ab iis accipi oportere; qui salutarem fructum ex eo sunt percepturi, ut scilicet mortem Domini annuncient donec veniat. Annunciant autem, qui Petri optimi horum verborum interpretis[r] hoc præceptum sequuntur, "Christo igitur passo in carne, et uos eadem cogitatione armamini, quia qui passus est in carne, desijt a peccatis, ut iam non desideriis hominum, sed uoluntati Dei, quod reliquum est in carne uiuat temporis." Tu uero non uoluntati Dei, sed hominum desiderijs te totum adduxisti, quo circa tantum abest, ut[s] ipse te mortem Domini annunciaueris[t], ut illum iam a morte excitatum, et uitam hominum factum (quod nec Judas, nec Judæi fecerint) prodere, et cruci affixum e terris tollere conatus[u] sis; idque postquam ipse[x] Christus per hanc doctrinam ijs, qui mortem eius digne annuncient, in cibum se ad immortalem uitam adipiscendam conseruandamque de- 1 Pet. 4.

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[q] [Quod qui non facit, is de pane illo edens, et de calice bibens, iudicium sibi manducat et bibit, et reus est corporis]

[r] [interpretis, præceptum illud sequuntur,]

[s] [ut hoc dici possit, te mortem]

[t] [annunciasse]

[u] [coneris]

[x] [ipse per hanc]

derit. At hic te defendas, me accusabis, quod recte sententiam et opinionem tuam interpreter. Nec enim te negare, Christum se nobis in cibum dedisse, in quo scripturæ [y] uerba sunt aperta, faterique in hoc sacramento corpus, et sanguinem Christi a nobis sumi, uerum fide tantum, et in spiritu, Christum enim in cœlo esse, non sub specie panis et uini, quæ signa tantum sunt eius corporis, et sanguinis, nobis ab eo relicta in commemorationem mortis, quam ipse pro nobis in cruce pertulit, quod uerba illa significant, Hoc facite in meam commemorationem. Luc 22 1 Cor 11 Hæc quidem probabiliter dici uidentur, partimque uera sunt, partim uero ita falsa, atque impie dicta, ut nihil sit, quod omnem Christi doctrinam magis evertat; nam quo id probabilius dici uidetur, hoc perniciosius est, quod tu quidem pertinaciter ita defendis, ut non uerearis idololatriæ eos omnes condemnare, qui in hoc sacramento uerum Christi corpus adesse affirmant, et adorant. An si cogites, quod dicas, et quibus tantum crimen objicias, non dicti tui te pudent? Non totus horreas? Si Deus idololatriæ crimine semper in quovis hominum genere maxime est offensus, quanto idem magis offenderetur, si id illi admitterent, qui profitentur se eius filij docrinam sequi, quem ipse ad omnem idololatriam tollendam e cœlo in terras demisit! an non si in cæteris hoc crimen graue admodum semper fuit, in iis esset longe grauissimum, qui Christi nomine hoc sacramentum cæteris administrant, ipsique suscipient? neque enim id tu uulgo tantum, sed omnibus [z] sacerdotibus et episcopis, [a] quicunque in ecclesia Christi extiterunt, objicis, ut aut sua sponte illi, ac scientes idololatræ fuerint, aut cum tantum ij quidem idololatriam admitterent, eandemque cæteris sequendam proponerent, tamen id se facere ignorarent. quantæ vero hæ tenebræ fuissent, annon crassiores non modo tenebris Judæorum, qui scientes idololatriam admittebant, sed Ægyptiorum, qui cum idololatriæ dediti essent, in eo se peccare ignorabant? at nos, qui ueri cultus et religionis lucem a Christo Dei filio nobis oblatam, accepisse profitemur, in idololatria tot secula uersati sumus, neque id unquam sensimus? profer, si potes, uel unum iam inde ab ipso ecclesiæ primordio, qui unquam idololatriæ ob eam causam damnatus sit, quod corpus, et sanguinem Christi in sacramento altaris esse crediderit, atque adorauerit, cum id toto terrarum orbe ab omnibus fieret, qui Christi fidem religionemque profiterentur. contra uero si constat, qui [b] aliter fecerint, eos ubique damnatos semper fuisse, quid hic dicendum? damnatos ne eos, qui nollent idololatriam committere? at quam iniquum, quam horrendum est, hoc de omnibus, qui tot seculis fuerunt, sentire, quantæ tandem hæ tenebræ fuissent! quas tamen ante miseram nostram hanc ætatem, qua omne fere genus [c] hæresum iam reuocatum est, ex tot sanctissimis, atque doctissimis uiris nemo unquam animaduertit, an non potius putandum est, te, cæterosque, qui tecum idem sentiunt, in densissimis tenebris uersari? qui quidem tenebras lucem, et lucem tenebras uocatis. Vnde uero noua hæc lux tibi affulsit, quæ te, quoad factus es episcopus, et aliquot etiam post annis idololatriam secutum esse ostenderit? ex lectione, inquies, scripturarum, quæ interpretatione quorundam recentium doctorum illustratæ, ueram diuini cultus rationem, et uiam docuerunt, atque hunc idololatriæ errorem aperuerunt. Quid ergo? an uerus scripturarum sensus hac tantum ætate patuit, qui semper antea latuisset? an cum illæ ab omnibus passim tegerentur, nemo eas ad hanc diem in tanta re intellexit? aut si quis intellexit, quid tandem est, quod in tam longo tempore, ex tot sanctis, et doctis uiris, ex omni hominum genere nemo sit inuentus, qui eius modi idololatriam uel deprehenserit, uel deprehensam [d] arguerit? Quod si nullus ante te episcopus in universa ecclesia est inuentus, qui de sacramento eucharistiæ [e] id quod nunc tu sentiret; eius autem ecclesiæ Archiepiscopus, cui tu indigne, ac nefarie præfuisti, Diaconi Audegauensis errorem, a quo [f] primum impia hæc, perniciosaque hæresis prolata fuit, grauissimis argumentis redarguit, quod uniuersa tum [g] ecclesia maxime approbauit; num tu unus plus [h]quam cæteri uides? an non potius cum id audeas contra tantum, perpetuumque totius ecclesiæ consensum asserere, quo maiorem ueritatis lucem tibi oblatam existimas, hoc te maioribus circumfusum tenebris, atque in reprobum sensum plane traditum esse ostendis? sic quidem est; in has uero tenebras tum scilicet incidisti, cum sapiens in scripturis interpretandis uideri noluisti. Tua autem hæc fuit sapientia, ut ecclesiæ sententiam, quæ ab omni sensu, et intellectu humano plane abhorret, dum credit, et credendum proponit, sub specie panis, et uini in sacramento altaris non uerum esse corpus, et sanguinem Christi, asperneris, atque reijcias, aliamque sequaris probabilem, et humanæ rationi accommodatam, cum ais, hæc signa tantum esse, quæ quidem sententia humano sensui facile probatur, sed a spiritus Dei sensu ita est aliena, ut ei nihil magis repugnare possit. quod omnes facile norunt, qui diuini huius spiritus non sunt expertes, quod nouit ecclesia, quæ ab hoc ipso spiritu regitur, ea uero nullos unquam grauiores hostes habuit in ijs, quæ ipsa credit a Dei Spiritu edocta, quam illos, qui iudicium intellectus, et sensus humani secuti sunt. In primo enim fidei nostræ articulo, quo Deum ex nihilo omnia creasse asseritur, aduersarios habuit philosophos omnes. in eo autem, quod fundamentum Christianæ religionis est, quo profitemur nos credere in Jesum Christum filium Dei, Deum uerum ex Deo uero, et consubstantialem patri, ecquem grauiorem aduersarium habuit, quam eum, qui ex Platonica philosophia sumptis armis contendit, Christum, etsi Deum, non tamen æqualem patri sed minorem esse, et creaturam? Quantas uero hæc hæresis turbas commouerit, et quam grauiter uniuersam ecclesiam exagitauerit, nimis constat, quæ quidem eo magis uenit, quo altiores radices egerat, nixa humani iudicij rationisque fundamentis. Fuerunt præterea, qui ecclesiæ sententiam hac de re secuti, faterentur quidem Christum Deum uerum de Deo uero, et patri prorsus æqualem, sed quo magis hoc affirmabant, eo absurdius putarunt, illum uere passum fuisse; atque ideo corpus ei quoddam phantasticum attribuerunt. at quia contra hanc hæresim nimis aperta erant testimonia, et eorum, qui cum Christo ipso essent uersati, et omnium, qui de eius passione et morte scripsissent, ea plane reiecta fuit,

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[y] [uerba maxime sunt]

[z] [omnibus episcopis]

[a] [quicunque ante te in ecclesia]

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[b] [id facere neglexerint,]

[c] [sic]

[d] [arguerit? An uero cum tot hæresum genera, ab ecclesia omni tempore notata, reiectaque fuerint, credibile uidetur, hoc omnium longe grauissimum nec notatum ab aliquo, nec deprehensum unquam fuisse? per mille annos, quibus ecclesia maxime floruit? aut si fuit, dic, quo id tempore a quibusue factum sit. At scio te hoc non posse. Quod si nullus]

[e] [id sentiret]

[f] [primum, ut initio dixi, impia]

[g] [ecclesia sic approbauit, ut eius sententiam in iuris canonici libros referendam sedes Apostolica censuerit: num tu unus]

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[h] [quam uniuersa ecclesia, uides?]

atque explosa, sicuti multe eiusmodi aliæ. Quæ iccirco com-
memoraui, ut ostenderem, hæreses omnes ab eodem humanæ
rationis fonte effluxisse, dum eam tantum homines, spiritu Dei,
et ecclesiæ sensu relicto, sequuntur. hinc manauit [i]primorum
nostrorum parentum error, quos hac uia, et ratione serpens fefel-
lit, ab eis, tanquam Dei præcepti iudices essent, quærens, “Cur Gen 2
præcepit uobis Deus, ut non comederetis ex omni ligno para-
disi?” simulque eorum sensum excitans, quo se ad aspiciendam
arborem, quæ erat prohibita, conuerterent, cuius poma, ut ad
aspectum pulchra, atque iucunda uidebantur, sic ratio ad gustan-
dum suavia esse ostendebat. atque ita rationis, et sensus humani
iudicium eos a iudicio, et sensu spiritus in præcepto Dei per-
pendendo abduxit, ex quo peccatum intrauit in mundum, et per
peccatum mors. cum autem uellet Deus opt: a peccato et morte
hominem liberare, statuit, ut quemadmodum cum cibus perdi-
derat, ita cibus seruaret, sed talis, qualem sensus, atque intel-
lectus plane ignorarent, qui priore cibo probato humani generis
perdendi causa fuerant. Itaque tantum abest, ut de hoc cibo
recte ab his quicquam iudicari possit, ut qui uelint fructum ex
ipso capere, eos oporteat, omni sensu atque intellectu [k]captiuato,
ad eum sumendum accedere, nihil ambigentes, nihil quærentes,
sed desiderium tantummodo afferentes diuini huius cibi, quo
uitam spiritualem tueri possint. Quare ubi Christus de eo Joan 6
apud Joannem euangelistem loquitur, omnia eius uerba huc
spectant, ut fidem, et desiderium illius excitet, fidem ex mira-
culo [l]manni è cœlo demissi, quod cœlestem eius carnem signifi-
cabat; desiderium ex eo, quod non brevis, et caduca, sed æterna
uita, quam omnes maxime expetant, hoc cibo comparatur. In
eo autem sermone Christus [m]tria uidetur habuisse auditorum
[n]genera, unum eos, qui ipsum cibi causa, quam eis dedisset,
sequebantur; alterum eos, qui curioso quodam [o]studio, illum

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[i] [primorum parentum]

[k] [captiuato, tanquam iumenta ad eum accedere, siue tanquam paruulos, nihil]

[l] [mannæ ex cœlo demissæ, quæ]

[m] [tria habuit auditorum]

[n] [genera, turbam Judæorum, qui eum partim cibi causa, quem eis in deserto dedisset (dederat: a pri. ma.) partim ob miracula, quæ multa edebat, sequebantur: curiosos eius doctrinæ sectatores; tam Apostolos, de quibus ipse]

[o] [(studio, ejus doctrinæ cognoscendæ a pri. ma.) studio illum audiendi, et miracula quæ plurima edebat, spec-

audiendi tenebantur: tertium Apostolorum, de quibus ipse alibi Matth 13 Mar 4 dixerat, "Vobis datum est nosse mysteria regni cœlorum, cæteris autem in parabolis." hi uerbis Christi nihil offendebantur, quibus reliqui omnes ita erant offensi, ut ab eo recederent. hinc autem orta est eorum offensio quod Christi uerba iudicio sensus, atque intellectus humani perpenderent, nam cum Christus primum turbam monuisset, ut cibum quærerent, qui non periret, seque dixisset panem eis esse daturum, qui descendisset e cœlo, et uitam mundo daret; ad hæc Judæi, Da nobis Domine semper hunc panem; at cum explicare pergeret qualis hic esset, seque panem illum esse diceret, tum uero inter se murmurare [p]cœperunt, propterea quod adduci non poterant, ut crederent, eum a cœlo descendisse, cuius parentes ipsi nossent; ad quorum murmurationem sedendam Christus nihil aliud dixit, nisi quæ de hoc pane locutus esset, eorum intelligentiam a cœlesti doctore peti oportere, non a sensu humano, et intellectu, quorum iudicium in hoc doctrinæ genere plane reijciendum esset. hoc enim Joann 6. significare uisus est illis uerbis. "Omnis, qui audiuit a patre meo, et didicit, uenit ad me, et nemo potest uenire ad me, nisi pater meus traxerit illum." ac nihil præterea addidit, quod eorum [q]offensionem tollere posset, sed ea dixit, quæ magis illos offenderent, cum panem, quem daturus esset, ut per illum homines uitam æternam consequerentur, se [r]esse ita confirmaret his uerbis. "Panis, quem ego dabo, caro mea est, pro mundi vita. Quod Judæi cum audiuissent, tum magis murmurare cœperunt, remque humanæ rationis, et sensus iudicio perpendentes, inter se quærere. "Quomodo potest hic carnem suam nobis dare ad manducandum? at [s]Christus huic eorum murmurationi non alia ratione occurrit, nisi at [t]idem reciteret, ac magis magisque [u]affirmaret, "Amen, Amen, dico uobis, nisi manducaueritis carnem filij hominis, et biberitis ejus sanguinem, non habebitis uitam in

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tandi.adducebantur; tertium discipulorum, et Apostolorum]

[p] [cœperunt, idque ob eam causam, quod humanum sensum, et intellectum sequentes, adduci]

[q] [offensionem, in quam iudicium sensus et rationis humanæ secuti incurrerissent, (incurrerent; a pri. ma.) tollere posset,]

[r] [esse aperte confirmaret]

[s] [Christus quasi nihil omnino hanc eorum murmurationem curaret, non alia]

[t] [idem magis]

[u] [affirmaret, atque explicaret. "Amen]

uobis," et quæ sequuntur, quibus carnem suam uerum esse cibum, et sanguinem uerum potum plane asserit, quæ eos re tandem sic offendit, ut non solum a turba, sed etiam a multis discipulis [v]relinqueretur cum dicerent, Durus est hic sermo, quis potest eum audire! durus autem scilicet eis erat, quia duri erant ipsi, qui audirent, quales sunt omnes, qui uerba æterna, cœlestisque vitæ iudicio intellectus, et sensus humani [x]metientes: ea sic audiunt, [y]ut qui dicentis auctoritati fidem non habeant, sed tantum credant, quantum ipsi intelligere possunt. Tales nimirum in illo Christi sermone se se [z]ostenderunt reliqui omnes eius auditores præter Apostolos. Talibus scandalum ex Christi uerbis augetur, quo magis horum sententia explicatur, sicut ostendit eorum exemplum quorum offensio ijs, quæ Christus adijunxit, non modo non imminuta est, sed ita aucta, ut ab eo tandem recederunt, cuius rei causam ipse docuit, quia scilicet non crederent. Hæc erant autem, quibus illi offendebantur. quod Christus se e cœlo descendisse [a]diceret, et in cibum carnem suam daturum, quam qui manducarent, æternam vitam consequerentur. Huic eorum offensioni Christus occurrens, Hoc inquit, uos scandalizat? Si ergo videritis filium hominis ascendentem, ubi erat prius? non ne scilicet id argumento erit, me de cœlo descendisse, nec hominem tantummodo esse, sed etiam Deum? Quomodo autem ipsius caro comedenda esset, et edentibus vitam daret, declarat, cum addit, spiritum esse, diuinum scilicet, qui eius carni coniunctus, hanc sumentibus æternam uitam det, modo uerbis eius fidem habeant, quæ credentibus spiritus et uita sunt. At Judæi, post hanc eorum, quæ dixerat, explicationem, quia fide carebant, duriores effecti sunt, eumque statim reliquerunt. Sic enim est apud Evangelistam, " et multi discipulorum eius abierunt retro, et iam non cum eo ambulabant." Quod cum uidisset Christus, non tamen eos reuocauit, uerborum suorum sententia ita explicata, ut tu interpretaris? nam facile illi revertissent, si dixisset, nolle se corpus suum ad manducandum dare, sed signum tantum sui corporis, quo passurus erat. hic enim sermo minime durus eis uisus fuerit, qui præsertim figuris essent assueti, neque sensus, aut intellectus ipsorum eum non approbassent, sed quia Christus non de signo corporis sui, sed de uero ipso corpore loquebatur, quod intelligere non possent, nisi quia supra omnem intellectum, et sensum humanum a patre essent tracti, eos qui tracti non fuerant, abire passus est, conuersusque ad Apostolos, Numquid, ait, et uos uultis abire? cui Petrus nomine [b]omnium, "Domine, ait ad quem ibimus? uerba uitæ æternæ habes, et nos [c]credidimus, et cognouimus, quod tu es Christus filius Dei uiui." nec enim hi se in uerbis Christi accipiendis, ad intellectum, et sensum convertebant, sed ad eius auctoritatem, quem, cœlesti patre reuelante, ab eoque tracti, [d]crediderant. atque cognoverant filium Dei uiui esse, et uerba æternæ uitæ habere, ideoque ab illo non recesserunt. Qui igitur ita [e]crediderunt, et cognouerunt, cum uerba Christi audiunt, dicentis, se carnem suam ad manducandum daturum, ut de re non dubitant, sic neque de modo, quo id facturus sit, quærunt, sed qualemcunque modum proponat is, qui filius Dei est, et uerba æternæ uitæ habet, quacunque forma et specie salutarem hunc cibum [f]offerat, eum reuerenter accipiunt, nihil prorsus dubitantes, nihil quærentes; id quod uidemus Apostolos fecisse, qui nullum offensionis, aut dubitationis signum dederunt, cum eis Christus, ut cæteri euangelistæ referunt, modum corporis sui manducandi, et sanguinis bibendi traderet, ubi scilicet, peracta cœna, finem iam umbris, et figuris impositurus, "accipiens panem, et gratias agens fregit, et dixit, Accipite, et manducate, HOC EST CORPUS MEUM: similiter et calicem." Cum enim panem illi uiderent a Christo benedictum, [g]ipsumque audirent dicentem, hoc est corpus meum, quod pro multis [h]tradetur, seque ad

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[v] [relinqueretur, qui ejus uerba ad iudicium rationis, et sensus humani referentes, cum non inuenerint, quo pacto id fieri posset, dixerunt, Durus]

[x] [metientes: neque ea audiunt, ut paruuli solent magistros, quippe qui non [nec: a pri. ma.] dicentis auctoritati fidem habent, sed tantum credant, quantum sensus eorum, atque intellectus capere potest: Tales.]

[y] [ut non qui dicentis auctoritati fidem habent (this is the second correction)]

[z] [ostenderunt tum Judæi, tum reliqui eius discipuli, præter]

[a] [diceret, et carnem suam ad manducandum daturum,]

Matth 26
Mar 19.
Luc 22

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[b] [omnium, ad quem, inquit, ibimus?]

[c] [credimus]

[d] [credebant]

[e] [credunt]

[f] [offerat, hunc iumenta, et paruuli accipiunt,]

[g] [eumque]

[h] [tradetur, simulque ipsos ad manducandum]

manducandum invitantem, idem prorsus fecerunt, quod iumenta ad præsepe ducta ut cibum [i]capiant. taciti enim ueluti bos ille, qui possessorem suum ut asinus, qui præsepe domini sui cognouti, oblatum cibum sumpserunt, atque [j]illis Christus talis fuit, specie panis tectus, et in cibum oblatus, qualis pastoribus fuerat Es 2. pannis inuolutus, et in præsepe [k]positus. nec eis uero aliud dixit nisi quod ad illos pertinet, quos iumentis, et [l]paruulis, qui nihil different a seruis, amicos suos fecerit. captiuato enim iam sensu ipsorum, atque intellectu, ut, quale corpus accepturi essent, intelligerent, eorum cogitationem ad corpus illud, quod in ara crucis pro eis paulo post erat immolaturus, conuertit, dicens, "Hoc facite in meam commemorationem." Quæ Paulus Apostolus magis explicans; Quotiescunque, in- Luc. 22. 1. Cor. 11. quit, manducabitis panem hunc, et calicem bibetis, mortem Domini annunciabitis donec veniat. At his tu uerbis maxime existimas opinionem tuam confirmari, nempe in pane consecrato non esse uerum Christi corpus, quod [m]cruci affixum fuit, sed eius tantummodo figuram, illa enim uerba, "In meam commemorationem," hoc significare, datum esse uobis hoc sacramentum in signum memoriæ eius corporis, quod Christus in ara crucis pro humani generis salute immolauit. Ego ueram ecclesiæ sententiam et auctoritatem secutus, utrumque affirmo, et uerum Christi corpus sub specie panis contineri, et illud idem corpus referri, [n]ac repræsentari, quod pependit in cruce, eius memoriam hoc excitat; sed quoniam, quale sit hoc corpus, quod in sacramento nobis offertur, nec sensus, nec intellectus uidere potest, si id scire uolumus; [o]cum sacerdos uerba Christi pronunciat, transferamus oportet cogitationem, mentemque ad illud corpus, quod pro nobis est immolatum, et ad fidem nos conuertamus, in cujus obsequium uerba Christi tam intellectum, quam sensum captiuum reddunt, et credamus, illud idem corpus, quod in cruce omnium oculis expositum fuit, hic ab omni humano sensu remotum sub specie panis et uini latere. Hæc quidem est Apostoli, et ipsius Christi uerborum interpretatio, quæ tradita nobis est ab ecclesia, quam si tu nobiscum, ut matrem paruulus, audires, nunquam profecto de ijs dubitares; sed quia ut iudex audis, et [p]sententiam eius spernis, sic interpretantis, minus quidem, quam quivis paruulus, uel nihil potius intelligis ac totum diuini huius sacramenti mysterium, quo eius auctoris uoluntas continetur, euertis, sensumque menti testatoris plane contrariam statuis. Est enim hoc sacramentum quasi testamentum, quo significatur ultima Christi uoluntas, quemadmodum postrema eius uerba in eo instituendo

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[i] [capiant. Tulis uero tum illis fuit Christus, specie]

[j] [illis tum Christus]

[k] [positus, ita ipsi tanquam iumentum illud, quod possessorem suum agnouit, oblatum cibum taciti comederunt. Christus autem quid eis tum dixit? hoc nimirum, quod ad]

[l] [paruulis amicos]

[m] [cruci est affixum,]

[n] [et]

[o] [cum sacerdotem audimus uerba Christi pronunciantem,]

[*Cætera desunt.*]

NUMBER XC.[q]

[See p. 277 of this volume.]

ARCHBISHOP PARKER TO THE SECRETARY, DESIRING THE COUNCELS LETTERS, IN ORDER TO HIS DISCOVERING OF CERTAIN WRITINGS OF ARCHBISHOP CRANMER[r].

Sir W. H. MSS. [Lansd. MSS. vi. 70.]

SYR, beying here: and wold be loth to be Idle; and thereupon having consideration as well of these quarters, for the common quyet among the people, as respecting the common service of the better sort toward the Q. Highnes, and her affayres; I fynd them all in so good order, that I do rejoyce therein. As for my ecclesiastical persons, I deal with them indifferently, that I fynd also obedience in them. Nowe, Syr, with spying and serching, I have found out bi very credible enformation, among other thinges, in whose hondes the grete notable wryten bokes of my predecessour, D. Cranmer, shuld remayne: the partyes yet denyeng the same, and therupon despayre to [s]recover them, except I maye be ayded bi the

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[p] [Sententiam eorum spernis, qui eam tanquam paruuli matrem audient sic interpretantem, minus]

[q] [Endorsed in Sir Michael Hickes's hand, "22 Aug. 1563. Archbp. of Cantuar to my M."]

[r] [Endorsed by Strype, "Touching certain notable written books by D Cranmer his predecessor."]

[s] [discover: Strype.]

councells letters, to optayne them. I praye your honor to procure ther letters, to authorise me to enquire and serch for such monuments by al wayes, as bi mi pore discretion shalbe thought good, wether yt be bi deferryng an othe to the parties, or veweng ther studies, &c. This oportunytie of enformation being such, I wold wyshe, I coud recover these bokes to be afterward at the Q. Commandement. I wold asmoche rejoyce, whyle I am in the contreye, to wynne them, as I wold to restore an old Chancell to reparation. Because I am not 218 aqueynted with the stile of the councels letters in this case, I send youe no minute: trusting that your goodness wil thinke the lauber well bestowed, to cause the clarke of the councell to devise the forme And thus hearying of the liklywood of the plage, to be in begynnyng in some placys hereabout, and yet myn own house, thanks be to God, in good quyet, I wyshe the Q. famylye to be defended by Gods honde. At my house from An. 1563. Bekesborne this xxii. of August.

Your honors assuered
Matthue Cant.

To the Right honorable Sir William Cecyl, Knight, Principal Secretary to the Q. Majestie. At the Court.

NUMBER XCI.[u]

[See p. 282 of this volume.]

DR. WILLIAM MOWSE, MASTER OF TRINITY HAL IN CAMBRIDG, HIS LETTER OF THANKS TO SECRETARY CECYL.

Ornatissimo Equiti Gulielmo Cecillio, Regio Secretario.

Sir W. H[ickes's] MSS. [Lansd. MSS. iii. 40. British Mus.]

QUOD nullam adhuc grati animi significationem ob acceptum beneficium fecerim, vereor ne quid de me mali suspiceris. Nam cum tanta tua in me fuit benevolentia, quantam in nemine adhuc sensi, valde dubito, ne magnitudo tuorum in me meritorum id quod negligentiæ crimen vix effugere possit in majoris sceleris periculum volet. Nam ut in omnibus rebus naturaliter evenire videmus, ut quæque res sit affecta ità plerúmque se statim ostendat, sic a gratis animis beneficij accepti aliqua significatio haud multo post subsequi debeat. Præsertim si hujusmodi sit in quo singularis benevolentiæ insigne argumentum extitit. Nam cujus animus in recenti beneficio languescit illum diuturnam beneficij memoriam retinere non est verisimile. Hæc me valde perturbant, et eo magis quod ab hoc vitio quam longissime abesse desidero cujus suspicione meâ culpâ non omnino careo. Ut enim aliæ meæ res sese habeant, optimorum virorum gratiâ multum adjutus sum, ut omittam singularem Cantuariensis Munificentiam, quam in me multis annis sine ullo meo merito exercuit. Chæci vero tam egregius animus et constans voluntas in me fuit, cum id nec ullâ officiorum necessitudine nec familiaritatis conjunctione effectum sit, an ejus virtuti et singulari humanitati id tribuere debeam aut deorum voluntati et meæ fortunæ non facile dicere possum. Sed de tua benevolentia quid dicam quâ omnes meas fortunas et amicorum studia complexus es. Nam quod illi mihi cupiebant id tu solus reluctantibus inimicis, confecisti. Quare sicut in beneficio conferendo princeps fuisti, Ita et ego illud totum 219 tibi præcipue acceptum referre deberem. Et licet id proprio quoque tempore pro beneficij magnitudine significatum non sit, jucundam tamen tui recordationem semper habui. Nec minus laboravi quâ potissimum ratione meipsum saltem voluntate ipsâ, gratum ostenderem. Nam liberum amoris et officij mei iter conditionis humilitas, et exiguæ facultates interrumpunt. Tum ipsa scholasticorum officia, quæ in crebris literis consistere solent nec isti meæ ætati nec huic studiorum rationi satis conveniunt, cum illæ gratiores esse soleant quæ a pueris atque ijs eloquentibus, perveniunt ut ne addam tuas gravissimas occupationes quas meis nugis perturbare plusquam scelestum ducerem. Quare quod tua Integritas pro tot beneficijs a me exigebat id sedulo præstabo, ut quibus muneribus tuâ operâ præsum in his me probe exercendo tuæ de me opinioni satisfaciam Vale 20 februarij Cantabrigiæ.

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[u] [Endorsed by Cecil, "20 Februarii 1553. Gulielmus Mowseus Dno Cecillo."—Strype's heading is, "acknowledging his favour, and excusing himself for not writing before."]

Tuæ humanitati devinctiss, Gulielmus Mowseus.

NUMBER XCII.

[See p. 298 of this volume.]

JUSTUS JONAS TO SECRETARY CECYL CONCERNING THE MISERIES OF GERMANY, OCCASIONED BY THE INTERIM: AND THAT HE MIGHT RECEIVE THE KINGS INTENDED MUNIFICENCE [f].

Clarissimo Viro Domino Sycilio, &c. domino meo observando
ad manus proprias dentur.

S. D. P. Quanta sit tua erga miseros, in omni genere officij, pietas, equidem ante hoc tempus non ignorabam: Sed certè, ut quemadmodum sentio loquar, nunquam tantam esse putavi quantam hodie expertus sum. Me enim miseris annumerare non vereor, siquidem varij fortunæ casus graviter me afflixerit [y]. Sir W. H[ickes's] MSS. [Lansd. MSS. ii. 21. Brit. Mus.]

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[x] [Endorsed by Sir Michael Hickes. "41 Justus Jonas to my Mr." Heading by Strype. "To Sir Wm. Cecyl 1548. Desires that the bounty granted him by the King for some works of his might be received by him on account of his present necessity. The Persecutions of Germany upon the Interim."]

[y] [afflixerint: Strype.]

Hoc intelligere si voles, audias quæso pauca quædam verba ex Parentis ad me epistola bonâ fide recitata. *Utinam,* inquit, *coram tibi, mi fili, exponere possem adflictum statum rerum cum publicarum, tum privatarum ἐν τῇ πάσῃ Γερμανίᾳ. Mallem tibi tam magno spacio montium et marium a nobis dissito scribere læta καὶ εὔφημα, sed difficultates assiduè adhuc crescunt; et propter non receptum Librum* Interim, *cogar forsan iterum aliquo migrare. Potes cogitare quam difficile et molestum futurum sit τῷ γέροντι,* &c. Hactenus Pater. Hoc tam triste exordium qualis secuta sit narratio ipse cogitare poteris. Equidem hæc scribens chartam lacrymis madefeci. Subibat enim longè tristissima paternarum calamitatum recordatio quarum siqua pars in filium redundat, ut certè redundat, quis miretur si me miserum dixero? apud te præsertim, cui tanquam medico causam morbi reticere vix benè possum. Cum itaque illis vel asperitatibus rerum vel injurijs temporum, eò usque dejectus sim, ut
220 aliorum benignitate casus meos sustentare cogar: non putavi Regiæ Majestatis munificentiam, quâ nescio quos meos Labores benignè potius quam merito remunerari constituit, hoc tempore negligendam esse. Si fortè eam spem avidius prosequi videor, non cupiditati sed necessitati id ascribes meæ. Festino enim ut ante hiemem in Galliam revertar, earumque rerum cognitione me instruam, quarum mihi olim in Anglia usus esse posset. Hanc enim patriam non minus diligo, quam si in ea natus essem, cumque de studiorum meorum fine cogito, non minus Angliam quam Germaniam mihi propono. Quidquid igitur Regia Majestas hoc tempore in me contulerit, id mihi loco arctissimi vinculi erit, quo me in totam reliquam vitam huic regno obligatum arbitrabor. Benè et fæliciter Vale.

Tuæ dominationis
deditissimus
Justus Jonas Junior.

NUMBER XCIII.

[See p. 316 of this volume. The variations in Strype are given as foot notes.]

Miles Wilson to Secretary Cecyl, Lamenting the Spoils of the Revenues of Schools, Benefices, and Hospitals. To which are added his Arguments against this Sacrilege[z].

Ornatissimo Clarissimoque Viro Gulielmo Cecilio, Regio Consiliario prudentissimo, et Literarum patrono maximo.

Sir W. H[ickes's] MSS. [MS. Lansd. ii. 77.] Brit. Mus. Original.

Cum in Aula nuper essem, vir Ornatissime, et sermones cum tua dominatione cederem de multis varijsque rebus, partim ad Christi religionem propagandam, partim ad remp. conservandam ac augendam imprimis pertinentibus; tradidi (ut scis) tibi lectitandam Orationem quandam de rebus ecclesiæ non diripiendis, a me superioribus hisce diebus confectam, et in publicis academiæ scholis recitatam, in præsentem causæ defensionem quæ jam tum tractabatur in publica disceptatione. Sed cum animadverterem te hominem in gravissimis Reip. negotijs semper occupatissimum, nec tum satis quietum fuisse ad [b] mea perlegendum opus, paulo longius quam pro tantillo spacio temporis, cumque te percupidum esse intelligebam audiendi et videndi quid de tam inusitato argumento ex sacris scripturis proferri potuisset, existimabam me et te tuo paululum posse levare onere, et etiam ea tecum communicare, quorum particeps fieri vehementer cupidus mihi videbare, si ea in angustas et concisas argumentandi formas conjicerem, quæ ibi fusius ac liberiore Orationis cursu jam tum prosequebar. Itaque ex eo tempore raciocinia nonnulla et sillogismos contexui,

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[z] [This heading is not in the MS. It is endorsed, (probably by Sir Michael Hickes,) "iiio. Januarii 1551. Miles Wilson to Sir W. Cecill." Then in Strype's hand; "Mentions a speech of his in the University against spoyling the Church. Urges him to recover as far as he could what had been taken away from schools, parsonages, and hospitals, with a paper of arguments against sacrilege."]

[a] [sererem]

[b] [meum]

qui et ad urgendum aptiores, et ad recordandum faciliores, et ad permovendum commodiores existunt, quam laxum quoddam et solutum illud orationis genus: ut si illa superiora, propter
221 eorum longitudinem, et infinitas tuas occupationes legere non liceret, saltem hæc brevia dialecticorum consectaria quæ sequuntur cum vacet inspectares. Cujus mei laboris me fructum satis magnum percepisse arbitrabor, si tantum apud tuam dominationem effecerint, ut quæ Scholæ percelebres sint nuper dirutæ in Academiæ ruinam maximam, hæ [c]tuo labore extrui mandentur: ut quæ Sacerdotia sunt miserè despoliata per avaros patronos ad acerbissimum ecclesiæ vulnus ea restituantur in integram ad incredibile reip. decus; ut que Hospitia delumbata fuerint perditè, ac extirpata funditus per importunitatem non ferendam cupidorum hominum, ea quantum fieri potest per te adjuventur apud concilium Regium, quo ad pristinum redeant statum nempe in subsidium verè pauperum.

Valeant enim valeant Academiæ perexiguæ nunc certè, sed brevi futuræ nullæ, si earum nutrices, scholæ, negligantur, Seminarium et seges florentis academiæ. Ut enim mare citò exarescit non influentibus undiquaque rivulis ac fluminibus: sic absorbebuntur statim academiæ, et in nihilum recident si ex scholis aditus illis præcludantur, sic ut illinc ad Academias nullus aut quam paucissimi commeant. Doctrina omnis generis conticescet, papismi regnum, et plusquam *Gothicus* barbarismus omnia pervadet loca, si non eruditis melius, quam jam est consulatur, si prœmia eruditionis, rectoriæ, præbendæ, et omnia auferantur. An dimicabit miles stipendium si negetur? An tellurem proscindet aut bos aut arator si pabulum illis non satis abundè præbeatur? An trajiciet mare mercator spe questus omni sublatâ? An terra profundet herbas, imbribus non depluta? An molendinum [d]mollere possit, si alveum interturbes et aliorsum cursum ejus vortas? Nequaquam certè. Sic neque quisquam acrioribus studijs doctrinæ operam navabit, nisi ager suus aliquo quasi rore amœno irrigetur, et prœmijs ac muneribus condignis feriatur. Si exempla quæras scholarum eversarum, rectoriarum delumbatarum, hospitiorum excisorum, petas exempla licet affatim horum nefandorum sacrilegiorum vel a summo *Angliæ* Cancellario; cui, te absente, consarcinata multa obtuli vel ab Episcopo *Eboracensi* apud quem etiam ista omnia diligentissimè explorata deposui. Tua dominatio novit oppidum haud procul a nobis dissitum, nomine *Childerlay;* hic una generosa domus sed hic multum degener, (quæ est Magistri *Cuttes*) exedit universum oppidum, nè unâ quidem domunculâ relictâ, excepta suâ domo; hic quia desunt homines quos templum capiat, recipiuntur equi, quos pro hominibus templum pro stabulo contineat: et quia triticum domini non est quod in tectum recipiatur, i. e. homines Christiani, recipitur hordeum et avena, et stramentum omnis generis. Sic oves *Christi* minuuntur, sic pecudes augentur, sic perit bonus pastor, et pastoris virtus: sic templum partim fit horreum pro frugibus condendis, partim vero stabulum pro custodiendis equis.

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[c] ["ut" half erased.]

[d] [molare]

Argumenta hic subjungo quæ prius pollicitus fueram. Longior sum quam vellem, sed magnitudo causarum, et zelus huc me vel invitum produxit. Quare ignoscet spero tua dominatio cui omnia prosperrima in Domino precor. 3° Februarij 1552.

Tuæ dignitatis studiosissimus,
Milo Wilsonus.

[f] *Argumenta, quibus ostenditur impium esse, bona ecclesiæ ab ecclesijs divelli.* 222

1. Quicquid Domino consecratum est in usum sacratissimi sui ministerij sive homo sive animal, sive ager fuerit nec vendi potest, nec redimi a quoquam. 27. *Levitici.* *Levit. 27.*

Bona ecclesiastica ut aurum, argentum, ædes, prædia, domino consecrantur in usum sacri ministerij.

Ergo, bona ecclesiastica nec vendi, nec coemi possunt. Et per consequens nec auferri nec mutari debent. Minor liquet. Nunquam enim agrorum possessores agris suis et bonis ecclesias dotassent suos exhæredando, nisi ut ministris dei abunde prospiceretur, in ministerium suum probe incumbentibus. Ac 2°, communia facientes omnia.

2. Quod nostrum non est abripere nefas est, et contra justitiam omnem, quæ est virtus sua cuique tribuens.

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[f] [The rest is in a different hand, and on a fresh sheet.]

Bona ecclesiæ nostra non sunt, nullius sunt quam [g] *Christi*, cui dicata et donata sunt.

Ergo iniquum est bona ecclesiæ diripere quovis modo.

Levit. 27. Probatur minor tum lege divinâ, tum imperatoriâ. *Quicquid enim fuerit consecratum sanctum sanctorum erit Domino. Domino dicabitur et non redimetur.* Et jure civili quæ domini juris sunt, ea in nullius bonis computanda sunt.

3. Quod cum lege naturæ pugnat legitimum non est.

Divellere terras sacerdotum cum lege naturæ pugnat.

Ergo eas divellere legitimum non est. Minoris probatio.

Gen. 47. *Pharao* sub lege naturali vivens, non patiebatur terras et possessiones suis adimi sacerdotibus, aut allevari pretio ullo; sentiens secundùm naturam id maximè esse ut indè viverent undè laborarent.

Prætereà ex horreis publicis gratuitò aluit sacerdotes, cum suæ res parum sufficerent sibi.

Et cum omnem terram *Ægypti* quintas pendere coegit *Joseph*, unicas sacerdotum terras exemit, quas liberandas censuit omni dura conditione.

4. Nemo civis bonus est qui ex communibus privata facit qui non magis communitati studet quam proprijs adaugendis commodis.

Qui opes ecclesiasticas et prædia sacra distrahunt ex communibus privata faciunt, sua commoda quærunt, publicum negligunt bonum.

Ergo, qui ecclesiæ bona abstrahunt civium bonorum numero ponendi non sunt, sed civitatis eversores et reip. putandi sunt.

5. In omni bene administrata rep. semper summa cura fuit religionis conservandæ et bonarum artium.

Direptio bonorum ecclesiæ et religionem quatefacit, imo demolitur et artes bonas vigere impedit.

223 Ergo direptio opum ecclesiasticarum in benè temperata rep. consistere nequit.

Minor ostenditur. quod nullus in vinea Domini opus faciet portans pondus et æstum diei, nec in præmijs hujuscemodi ætatem suam conteret, nisi præmio ad laborem aliquo concitetur; Nullus artes consectabitur ingenuas sublatis illis præsidijs unde sustentarentur: *Honos* enim *alit artes.* Nec triturabit bos, si obligetur os, nec pastor pascet oves, si de lacte non bibat, nec militabit miles, si stipendium subtraxeris nec in vinea faciet opus qui de denario non conducitur.

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[g] [quia]

Si conferatur nostra respub. cum *Judæorum* quæ per Dominum nostrum instituta est, minus reperietur nostris ministris dari, quam veteris testamenti *Levitis* fuerat deputatum. Nam *numerorum* 3°. *Levitarum* viginti duo millia tantum recensentur, qui tabernaculo Domini tum temporis inserviebant. Et hic exiguus numerus universas per omnem *Judeam* decimas, primitias, oblationes recepit in viaticum et victum suum, cum 48 urbibus atque suis suburbanis locis ad tria circumcirca milliaria. 6.

At nostrorum ministrorum numerus quadruplo major est, ut apparet ex parrochiarum limitacione et numero. * 5o enim cum duobus Templa vulgariter connumerantur hic in *Anglia*, et duo ad minimum in singulis sacerdotes sunt, omnibus simul collatis.

* Quid per hanc notam, Quære [h].

Ergo cum solum decimas recipiant sacerdotes *Anglicani* idque immunitas et delumbatas valdè, non detractio sed additio potius facienda esset, si par ratio utrobique retineretur.

Nulla pauperum bona eripienda sunt. Pro [i] pauperibus enim Paulus ubique collectiones facit. 7.

Bona ecclesiæ sunt bona pauperum.

Ergo, bona ecclesiæ eripienda non sunt.

Si diripere aliquid privato sit impium, si commune civitatis ærarium expilare sit nefarium, unde robur et præsidium urbis pendeat; quanto magis scelestum et iniquum erit capitis nostri *Christi* bona divellere et ministris ecclesiæ opes despoliare, quæ sunt nervi religionis et spiritualis regni *Christi.* 8.

At privato detrahere impium est, et gazas urbis exinanire sceleratum mortéque plectendum in omni benè temperata repub.

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[h] [This quere refers to the first character, which is like an S in the original. It is evidently 5; but the passage is difficult to understand, if it means that there were then 52000 churches in England.]

[i] [Pro omitted.]

Ergo, scelere carere non potest publica ecclesiæ et *Christi* capitis bona ad istum modum miserè dilacerare.

9. Qui vendentes in templo et ementes ejecit ipsum templum, et omnia in templo ad vendendum proponentes, impunitos opinor nunquam permittet.

At cum flagello in templo vendentes et ementes ejecit *Christus,* magno percitus furore.

Ergo, non connivebit ad eos qui omnia diruunt, et ex domo orationis speluncam latronum faciunt.

10. Quæcúnque ad sabbatum rite sanctificandum et celebrandum spectant conservanda et retinenda sunt. Est enim pars Decalogi Sabbati Sanctificatio.

224 Bona ecclesiæ ad sabbatum rite sanctificandum pertinent.

Ergo, bona ecclesiæ integra conservanda sunt. Minor sic probatur.

Sabbatum rite celebratur evangelii prædicatione, Sacramentorum administratione, precum profusione, et pro pauperibus diligenti provisione.

Sed ecclesiastica bona et verbi prædicationem fovent, et Sacramentorum administrationem alunt, et pauperes in ecclesia sublevant, dum eos sustentent ministros qui et hæc peragunt officia, et indigentibus necessaria subministrent.

Ergo, bona ecclesiæ pernecessaria sunt ad festum rite sanctificandum.

11. Unicuique ad perfectionem contendendum est. *Estote* enim *perfecti, sicut pater Vester cœlestis perfectus est.*

At *Christianæ* perfectionis est vendere quæ habemus omnia, et pauperibus dispertire. Nam, *si vis perfectus esse, Vade et vende omnia, quæ habes, et pauperibus dato.*

Ergo de Christo et ecclesia nihil detrahendum, sed pauperibus potius indies adjiciendum erit.

12. Bonum quò communius eò melius, quò multiplicatius eò laudatius.

Sed pastores ecclesiæ et episcopi, bonum sunt[k].

[k] [est]

Ergo, augendus eorum numerus, non *minuendus* existit. Ergo, quò plures Episcopi eo rectius est. Et per consequens plures constituendi, potius quam deponendi, et abjiciendi qui nunc constituti sunt.

Major liquet. minor sole clarior est. Nam *siquis episcopatum appetit bonum opus desiderat.* Certe episcopus esse non potest non esse bonum.

Balthazar graviter punitus est ob vasorum Deo consecratorum direptionem et[1] per profanum eorum usum. 13. *Daniel* 5.

Achan insigniter plectebatur ob sacrilegam distractionem. *Josue* 7.

Antiochus horribili mortis genere perit ob impiam sacrorum diripiendi voluntatem et conatum. 2 *Macha.* 5.

Lysimachus Lapidibus obruitur propter consimile facinus. 2 *Machab.* 9.

Heliodorus gravissimis vulneribus conficitur a Deo, quod sacra templi vasa abducere conaretur. Et sic de universo numero Sacrilegorum dici potest. 3 *Macha.* 4.

Ergo, omnes qui Sacrata Deo divellunt gravissimas pœnas expectent oportet.

Sic divus *Paulus* ratiocinatur. 14.

Sub spe debet is qui arat arare et qui triturat sub spe, spei suæ particeps esse debebit. 1 *Cor.* 9.

Ergo, qui in agro Evangelico arat, et qui in area Domini sedulò triturat sub spe percipiendorum fructuum et arare et triturare debent.

At quæ relinquitur spes, cum aufertur res?

Qui non seminant spiritualia carnalia ne metant. 15.

Laici Spiritualia non seminant. Quippe quia nec verbum annunciant nec Sacramenta administrant.

Ergo, laici non debent metere carnalia. iniquum est ut indè 225
quis vivat, undè non Laboret. Et Paulus dicit, *qui non laborat non manducet.*

Dignus est operarius mercede suâ. Ergo qui non operatur, dignus non est. Et per consequens, neganda esset merces non omninò operanti. Sic pellantur omnes inutiles fuci, sive Laici 16. *Mat.* 10.

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[1] [et profanum.]

sive Clerici extiterint, qui alienis insidiantur laboribus, quique mel exugunt omne, parùm aut nihil mellis relinquentes hijs, qui verè apes sunt, valdéque laboriosæ.

17. *Dominus ordinavit, ut qui Evangelium annuntiant, ex Evangelio vivant.*

Ergo è contrario, de Evangelio nè victitent, qui Evangelium aut nolunt, aut non possunt denuntiare.

18. *Paulus* inter Ecclesiasticos ita se gerebat, ut gratis panem a nemine acciperet, sed cum labore et sudore nocte diéque faciebat opus, nè cuiquam eorum oneri foret.

Præcepit item illis, *Ut siquis nollet operari, is nec ederet.*

Ergo, quâ conscientiâ de ecclesiasticis bonis vivere illi possunt, de prebendarum fructibus, de rectorijs, de hospicijs de episcoporum patrimonijs et reliquis ecclesiæ proventibus, qui nullò ministerio ecclesiastico inserviunt, nec prædicando evangelium, nec sacramenta exhibendo, nec ecclesiasticam disciplinam, ut par est, exercendo?

19. *Qui bene*[m] *præsunt presbiteri, duplici honore digni sunt, maximè qui laborant in verbo et doctrina.* Qui *duplex honos* duplicatum designat subsidium, et ut putavit *Theophilactus,* abundans, præter stipendium commune.

Ergo, tribuatur hic duplex honos sedulis ministris, nec ita minuantur quotidie victus eorum, ut sibi et suis parùm sufficiant in propria vocatione et munijs obeundis.

20. Quæ sunt militibus stipendia, ea sunt bona ecclesiæ et earum ministris.

Sed militibus stipendia detrahere iniquum est. Ergo, iniquum bona ecclesiæ.

21. Vinitori fructum et vinum, opilioni lac, agricolæ fruges eripere non licet. Sed quod vinitori vinum, opilioni lac, agricolæ fruges, id ecclesijs opes suæ.

Eas ergo subducere, et hijs vitæ adjumentis fraudare Verbi ministros nullam profectò habet æquitatem.

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[m] [Qui præsunt]

Ministris ecclesiæ omnia ad vivendum necessaria suppeditanda sunt. 22. 1 *Tim.* 3.

Necessaria autem definio, quæ sibi, uxori, liberis familiæ satis sunt, quæque hospitalitati servandæ et exhibendæ sufficiunt peregrinis, egentibus, mancis claudis cœcis, decrepitis, orphanis et viduis. *Deut.* 25. 1 *Cor.* 7. 1 *Tim.* 3.

Ergo, bona ecclesijs aliquando deputata, adimenda non sunt: ne fortè his singulis satis relinquatur, et ita necessarijs vitæ 226 præsidijs despolientur hi, quos Spiritus Sanctus præcepit ut de ecclesiæ viverent.

Qui ecclesiæ bona spoliant hij ministros verbi et Dei spoliant. 23.

Qui ministros Dei spoliant hij Christum ipsum despoliant. nam quod uni horum feceritis, et mihi feceritis.

Ergo ecclesiæ bona diripere est Christum ipsum et ejus ministros victu suo defraudare, et Christi tunicam ac patrimonium in partes dissecare, quod quam horribile sit sacrilegij genus omnes pij norunt.

Irritum esse non debet quod testator piè et secundùm scripturas testamento suo condidit. At multi pij morientes testamentis legaverunt sua bona ecclesijs in earum necessarios usus. 24. *Gal.* 4.

Ergo impium est hoc spernere testamentum vel frustrari quovis modo, sic ut surripiatur avarè quod munificè quod sanctè præbitum fuerat.

In nascenti ecclesia Christi, apostolorum in temporibus pij terras et possessiones et omnia vendiderant ut pauperibus ut[o] publicantibus evangelium abundè prospiceretur. 25. *Ac.* 2.

Ergo jam diu donata et ad longum tempus confirmata ecclesijs in hos ipsos usus nec vi nec dolo rapienda sunt ut conferantur in eos, qui nec paupertate ulla premuntur nec ullo ministerio sacro ecclesijs deserviunt.

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[n] [This reference is in another hand. The three references are given in the margin by Strype.]

[o] [et]

26. Quod vel promittitur, vel destinatur in usum ecclesiæ sub-
Ac. 5. trahendum non est nec callidè submovendum. id quod probatur ex Anania et Sapphira 5° actoum[p] duo horrenda exempla.

At bona ecclesiarum destinantur in maximè necessarios usus in sustentationem pauperum et in subsidium ministrorum.

Ergo non astu non vi avellenda sunt dicta ecclesiæ bona nè fortè id avellentibus accidat quod Ananiæ et Sapphiræ supra eveniebat.

27. Qui templum Ierosolumitanum spoliaverunt[q] pœnas Sacrilegij
2 *Ma.* 1. 3. 9. gravissimas luebant 2 *Mac* 1°.[r]

Ergo[s] qui Christianorum templa diruunt ac despoliant, et ex illis ut scopis omnia everrunt, impunè nunquam opinor ferent.

28. Est in hijs abusus. reformentur ergo.

Alunt Superstitionem. nutriant ergo exin veram et sinceram Christi religionem.

Indignis tribuuntur ecclesiæ prædia, ergo dignioribus concedantur, fuci pellantur, telluris inutile pondus.

29. Homicidæ putantur qui violentas manus injiciunt in alienum corpus et illi vitam corporis eripiunt. Ergo erunt multò magis qui pabulo cœlestis doctrinæ animas piorum orbant atque destituunt sic ut æternum pereant quod Laici faciunt, qui victus ministorum sibi rapiunt, qui soli illos rore cœlestis verbi pascerent et ità impediunt ne possint hoc facere.

30. Sacerdotes Judæorum impij qui in nece domini consenserant
227 pretium sanguinis recipere nolebant in eos per Iudam rejectum, sed eo mercandum decernunt agrum in sepulturam peregrinorum.

Ergo nostri Scribis et Pharisæis deteriores sunt qui patrimonium Crucifixi, i. e. Christi tunicam, etiam non oblatam sibi auferunt et quoque jure quaque injuria sibi attrahant.

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[p] [50. Actorum omitted] [q] [spoliebant] [r] [2 Mac. 10. omitted] [s] [certe]

Nullum Sacrilegum impunitum sinet Deus. 31.

Bona ecclesijs divellere sacrilegum est.

Ergo hæc ecclesiæ bona diripere ultionem Dei gravem commeretur.

Minoris probatio. Omnis ablatio sacri de sacro sacrilegum est. A definitione.

Diripere bona ecclesiæ est rem sacram de sacro auferre.

Ergo bona ecclesiæ divellere Sacrilegum est.

NUMBER XCIV.

[See p. 319 of this volume.]

PETER MARTYR TO PROCURE A LICENSE FROM THE COURT FOR ONE OF HIS AUDITORS, WHO DESIRED TO PREACH[t].

[u]Verè fidelissimo Christi Ministro Domino Jacobo Haddono
has tradas Londini.

Sir W. H[ickes's] MSS. [MS. Lansd. iii. 37. Brit. Mus. Original.]

S. D. In Collegio Magdalenæ Haddone in Christo charissime, cui frater tuus præsidet, est pius et probus vir, qui Hugo Kirke appellatur, Magister artium, inter suos bonæ famæ, atque studio evangelii Christi (quantum judicare licet) vehementer incensus. Proindè incitatur (ut mihi persuadeo) spiritu Dei, ad prædicandum, quo sanam doctrinam, cujus est sectator non ignavus, ovibus ecclesiæ communicet, quæ in nostris his regionibus, raro et paucis in locis quem admodum oporteret pascuntur. De universo autem isto negotio puto illum egisse tecum quantum ex ejus verbis colligo. Cum itaque me rogaverit ut ad te scriberem, id libenti animo facio. et ei quod possum fero testimonium, quo ad mores benè audit, sacrarum litterarum est admodum studiosus, mihi docenti semper adest, et sacram profitetur doctrinam, quæ de eo bonâ fide possum dicere hæc habeo. De quo etiam potes si visum fuerit fratrem interrogare, qui jam hinc discessit, et ad negotia sui Collegij procuranda est profectus, quod mihi (ut

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[t] [Headed in Cecil's handwriting: "18 Aprilis Pet. Martyr Jacobo Haddono."—In Strype's handwriting: "His testimonial of one Kirk of Magdalen College, desirous to be allowed to preach."]

[u] [Endorsement]

verum fatear) parùm est gratum. Nam illius conversatione piâ jucundâ et eruditâ plurimùm delector sperabam fore, ut te hic quandoque, vel saltem ad aliquot dies haberemus; at nunc quod sperandum sit non video. Equidem licet adversa valetudine aliquandiu laboraverim, nunc tamen dei gratiâ sum restitutus. Piam vero et mihi nunc maximè necessariam conjugem, (ut audivisse te non dubito,) ad dominum præmisi, quod ideo scribo ut deum roges, quod mihi nunc dum vivo solus ac tali adjutorio
228 destitutus, suum conduplicet auxilium. Vale et Christo felix
An. 1553. vivito. 18 Aprilis. Oxonij.

Tuus in Domino,

P. Martyr.

NUMBER XCV.

[See p. 319 of this volume.]

THAT ONE WHO OFFICIATED IN DR. WESTON'S PLACE, MIGHT RECEIVE THE STIPEND DETAINED FROM HIM[x].

Clarissimo Viro Domino Guglielmo Sicello, M^{tis} Regiæ Secretario, ac Equiti Honestissimo.
In Aula.

Sir W. H[ickes's] MSS. [MS. Lansd. iii. 41. Brit. Mus. Origin.]

S. D. Quoniam Vir clarissime, cum tuam pietatem, tum eruditionem habeo compertissimam, ideo ad te de hoc pio et erudito Christi ministro, quo familiarissimè utor, scribendum esse censui. Ita sanè res ejus habet, sacras litteras a duobus propemodum annis, Oxonij pomeridiano tempore publicè profitetur, eo plane loco quo doctor Westonus olim docere magno religionis dispendio consueverat, cúmque is religiosè, atque accuratè commisso sibi fungatur munere, stipendium quod sibi pro universo tempore quo laboravit in vinea domini debetur, nunquam adipisci potuit, siquidem id Westonus conatur sibi vendicare quod ut sit justum vel æquum, tu quæso apud quem justitia et æquitas plurimùm valent, apud temet ipsum expendito. Ille hic non

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[x] [Endorsed in Cecil's handwriting, "Peter Martyr Domino Cicillo. 7 Martii 1553."—In Strype's: "That the stipend due to the Divinity reader may be payed to him, that succeeded Dr. Weston in that place detained from him."]

est, officio suo non fungitur, neque si adesset, et doceret, posset auditoribus nisi quam pessimè consulere, cum religioni puriori tantoperè adversetur. Iste vero loco ejus est [y]legittimè surrogatus, adest, susceptum munus obit sedulò, atque cum meus discipulus et adhuc sit, et fuerit, veræque religionis studiosissimus, quo ad piam doctrinam mecum omninò consentit. Hæc scio si apud te cogitaveris, facilè adducent, ut quem tibi commendo et favore, et auxilio non indignum putes, cui existimationi justissimæ, ipse meas addo preces, quibus etiam atque etiam rogo, ut in ejus negotio ipsum juves, quod si feceris non modo erit acceptum Deo, sed ecclesiæ quoque non parùm conducet, etenim illi vehementer expedit, ut et laborantibus in verbo evangelij stipendia non negentur, et juvenes aliqui tandem excitentur, qui loco seniorum juventutem sanâ doctrinâ imbuant. De meis autem rebus non scribam multis, cum te audivisse non dubitem, piam dulcissimámque conjugem, in Domino quievisse, quæ sanctissimè atque incredibili pietate migrando ad Dominum, ut me in luctu reliquit, quem doctrinâ cœlesti et mitigo, et indies magis leniam, ità oppressum gravissimo corporis morbo deseruit, quare tum corpus, tum animus eodem tempore vexatus est acerbissimè, cúmque adhuc non convaluerim, sed tamen aliquanto melius habeam, non tamen quantum satis esse possit ad meum obeundum munus, te rogo vir optime, ut precibus tuis coneris impetrare mihi a Deo, vel absolutionem ab hujus vitæ molestijs, vel saltem vitam, quâ scholæ 229
et ecclesiæ prodesse valeam, quandoquidem ità vivere, ut sim utilis nemini, propemodum [z]intollerabile judico. Idémque oro ut tua lectissima conjux, quam plurimùm abs te salutari mihi cupio, suis castissimis votis a Christo mihi concedi postulet. Vale atque Deo vivas felix, méque in Christo, ut facis ama. Oxonij, Martij 7. 1552.

Tuus ex animo quantus est,

Pets. Martyr.

[y] [sic]

[z] [sic]

NUMBER XCVI.

[See p. 324 of this volume.]

JOHN SLEIDAN TO CECYL. ADVISES OF THE STATE OF AFFAIRS IN GERMANY[a].

[b]Magnifico viro, Domino Cæcilio, Equiti, et Serenmi. Regis Angliæ secretario.

SAL. Sir W. H[ickes's] MSS. [MS. Lansd. ii. 92.]

QUAS Aprili mense tibi scripsi, vir ornatissime, eas te pridem accepisse puto: vellum quidem ex tuis hoc ipsum certo cognoscere. Fuit hic nobiscum superioribus diebus Serenis. vestri regis orator, D. Picorinus, expatiatus huc è vicinis castris cum Veneto et Ferrar' legatis. Galliæ rex, post occupatam Lotharingiam et Metim urbem venit Zaberniam, quod est quatuor hinc milliaribus, Episcopi ditionis oppidum: ibi habito delectu, petivit Haganoam, illinc Weissenburgum, quo in oppido literis acceptis a Mauritio, castra movit ad xiii diem hujus mensis, et partitis copijs retrocessit. ejus rei quæ sit causa nondum constat: Electores etiam principes quatuor, ij qui Rhenum accolunt, Wormaciâ suos ad ipsum miserunt legatos, deprecandi opinor causa: Basilienses quoque nuper ipsum adierunt Zaberniæ et pro finitimis locis intercesserunt: nunc autem omnes Helvetiorum pagi communi missa legatione, idem faciunt. nam hæc nostra regio frumentum eis abundè subministrat quotannis, eáque commoditate nolunt se spoliari, et hoc ipso die opinor eos compellare Regem: nam ante biduum hâc transierunt. A nostra civitate rex alimoniam flagitavit: bis fuimus ea de re in castris, primùm apud [c]*Sarburgum*, dein Zaberniæ: pabulatores multum sanè incommodarunt agricolis, qui propè omnes tamen in urbem confugerant: cujusmodi sint urbis nostræ munitiones, audisse vos non dubito: veruntamen hoc ipso tempore novum opus instituimus, utilissimum reip. futurum: Ulmam frustra obsederunt principes, ac miserè vastatis circùm agris, alia quoque loca tentarunt. Mauritius fuit cum rege Ferdinando redijt quidem ad castra sociorum, sed ad xxvi diem hujus mensis erit rursus cum Ferdinando: nam is intercedit, et ad Cæsarem profectus esse dicitur, Ænipontem, ut certi aliquid statui posset. quod si fiat, magna pars consiliorum regis mutabitur et intercidet. Cæsar comparat exercitum, et erit bellum hauddubiè valdè atrox. Concilij nulla jam fit mentio, et silent inter arma 230 leges. Pacem Julius tertius fecit cum Gallo, et Mirandulæ solvit obsidionem, et arctius quoque fœdus cum eo fecisse dicitur. Per Neapolim quoque gravis est proregi simultas cum Salernitano, qui et Venetias confugit. Ferdinandum aiunt ratas habere, quas cum Mauritio tractavit pacis conditiones: ideoque profectum ad fratrem, ut et ipsi persuadeat. Conditiones autem illæ cujusmodi sint, nondum planè constat: hoc solum fertur, eas ad Germaniam tum dignitatem, tum libertatem pristinam omninò spectare. Deus benè fortunet. Albertus Marchio bellum facit Norenbergensibus: De rebus Turcicis nihil habemus comperti. Gallus in Lotharingiam redit, ut exercitum Belgicum retundat. Hæc sunt, de quibus ad vestram Magnif. in hoc tempore scribendum duxi, tum meo tum Soceri nomine. Quæso, ut tandem de meo negotio aliquid cognoscam, quod ut commendatum habeas et Rever: Domino Primati commendes, plurimum oro. Vale, Argent. 18 Maij: 1552.

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[a] [Endorsed in a secretary's hand; "40. Jo. Sleidan 1552."—In Strype's: "Advices of the state of affaires in Germany: with a Postscript."]

[b] [Endorsement.]

[c] [sic]

Tuæ Magn. deditiss.

Jo. Sleid.

[d] *Sal.* Literas hucusque distuli, expectans occasionem mittendi. Rex benignè respondet Helveticis legatis, et Lucemburgum dicitur petere. Expectamus quæ sit futura actio ad 26 hujus mensis. Gallus respondet Electorum principum legatis, perfecisse jam se quod voluit: nempe captivos principes liberatum iri, et se, qui jam satis gloriæ consecutus sit, redire domum. Ita respondet xiii hujus, quo die castra movit. Iterum vale. Dat. 24 Maij 1552.

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[d] [On a separate slip, endorsed by Strype, "A Postscript."]

NUMBER XCVII.[e]

[See p. 324 of this volume.]

MORE ADVICES FROM GERMANY. DESIRES A PATENT FOR HIS STIPEND GRANTED HIM BY K. EDWARD VI.[f]

[g]Dn. Gulielmo Cæcilio, Regio Secretario, &c.

SAL. Sir W. H[ickes's] MSS. [MS. Lansd. ii. 92.*]

Literæ meæ diutius hic hæserunt quam putaram. Ecce, dum omnes erecti sumus et avidè expectamus vicesimum sextum diem Maij, quo die alter erat futurus conventus Ferdinandi et Mauritij, nuncius adfertur, Mauritium profligâsse quasdam copias Cæsaris. Id autem accidit in Alpibus: est oppidum ijs locis, Rutam vocant: ibi futurus erat delectus militum qui pro Cæsare cogebantur: Mauritius autem antevertit, et novem signa profligavit, deinde celeriter progressus aditum quendam in angustijs Alpium, et arcem ibi positam, Erenbergum, cepit. Fuit hoc decimâ nonâ die Maij. Cæsar eo accepto nuncio statim Æniponte discessit quod oppidum ab arce illa distat iter bidui. Erat cum eo Ferdinandus, qui transactionis futuræ causâ illuc
231 venerat, ut alteris literis significavi. Simul ergo discesserunt, ingressi iter Tridentem versus: nam in Italiam Cæsar cogitabat: sed aiunt eum monitu fratris Ferdinandi, mutato consilio profectum esse in Austriam: An Mauritius eum insequatur, nondum planè constat. Est infra Æniponte alter aditus, positus in angustijs, Kopfsteinum vocant: hunc quoque si teneat ille: vix ullum ex Italia militem sit habiturus Cæsar. Hic nunc est rerum status: cætera brevi cognoscemus: tunc ad te plura. Sed oro cognoscam ex tuis literis, num meas accipias, et de meo stipendio fac aliquid boni cognoscam. Vale. dat. xxx Maij, 1552.

Jo. Sleid.

Revermo. d. Cantuariensi cupio imprimis commendari.

Facito quæso, ut diploma mihi conficiatur ejus, quod Sereniss.

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[e] [Endorsed "Jo. Sleidan" by Sir W. Cecil.]

[f] [This is Strype's endorsement; with the words "the King," instead of "K. Edward VI."]

[g] [Endorsement.]

Rex mihi constituit, stipendij, et ut solvatur quod jam præterijt: per Richardum Hils mercatorem vestratem rectè curabitis. D. Checum, oro, plurimum ex me salutes.

Hæc ubi scripsi, literæ mihi adferuntur a socero: Commendat se vobis omnibus plurimum. Jubet ut ego vobis subindè scribam, eò quod ipsi non sit integrum ex ijs locis. Est autem in finibus Lotharingiæ. Exercitus Gallicus tripartitus, Walderfingi, oppido Lotharingiæ, ad Saram flumen, convenit omnis 23 die Maij, et quatriduo post ingressus iter petijt rectâ Lucemburgicam regionem, trajecto flumine Mosellâ. Quâcunque eunt ijs locis, omnia devastantur incendijs et direptionibus: Is fuit ibi rerum status 28 die Maij, quo die Socer mihi scripsit.

NUMBER XCVIII.[h]

[See p. 324 of this volume.]

INTELLIGENCES CONCERNING THE MOTIONS OF THE EMPEROR, AND THE STATE OF THE PROTESTANT PRINCES.[i]

[k]Magnifico Viro, D. Gulielmo Cæcilio, Serenmi. Angliæ
Regis Secretario &c.[l]

Sal.
Sir W. H[ickes's] MSS. [MS. Lansd. ii. 93.]

Motum hujus anni perscripsi, Magnifice Domine, ad initium usque Septemb. et Serenissimum Regem paucos intra dies accepturum spero. Fortasse priusquam hæ tibi reddantur, acceperit. Postremum est, de capto rursum *Lantgravio:* sed is denuo dimissus, jam est domi. Calendis Septembris *Cæsar Augusta* discedens, Joannem Fridericum, *Saxoniæ* Ducem, amplissimis verbis et amanter admodum dimisit, prolixè de sua benevolentia illi pollicitus; [m]et religionem ei suam permisit. Ille postridie domum redijt. Mauritius in Hungariam iturus ex pacto, copias suas Doneverdâ misit Ratisbonam, xxii die Augusti; ipse domum recurrit, paulo post rediturus ad exercitum. An redierit, adhuc quidem ignoratur. Albertus Mar-

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[h] [Endorsed by Sir Michael Hickes, "xxv. Sept. 1552. Sleidanus to Sir William Cecill."]

[i] [So endorsed by Strype.]

[k] [Endorsement.]

[l] ["&c." omitted by Strype.]

[m] ["et religionem ei suam permisit" added in the margin.]

232 chio Brandeb. 28 Augusti Trevirim urbem ad Mosellam flumen occupavit: mansit ibi dies octo; post, Lotharingiam petivit, relictis Treviri præsidio xii signis, et xiii die Septemb. prope Sircum oppidum trajecit Mosellam, et in Lucemburgicum agrum invasit. Cæsar Augustæ treis quidem concionatores abrogavit, ob singularia quædam dogmata, sicut fertur, sed reliquis tamen permisit, ut secundum Augustanæ confessionis, quondam exhibitæ formulam doceant et sacramentis utantur. xv die Septembr. Cæsar cum exercitu venit in nostros fines, et in vico quodam, milliare unum ab urbe, permansit in quintum diem, tunc demum impedimentis omnibus Rheno transmissis, in quo magna fuit difficultas, plurimúmque laboris et exercitu jusso progredi præter urbem, ipse cum paucis quibusdam heri ingressus est, et sumpto prandio discessit. Sunt in ejus exercitu præter Germanos, Itali, Hispani, Bohemi, qui sanè plurimum damni dederunt miseris agricolis. Cæsar omnino putatur iturus Metim, ut recuperet, Galli strenuè illam muniunt, et alimoniam omnem totius agri convehunt eò. His rebus omnibus præest Guisius. Fuit hic nobiscum D. Morisinus, et Aschamus. Oratores omnes Cæsar jussit ire Spiram. De Hungaria nihil habemus [n] computi. Hæc sunt Magnifice D. quæ tibi scribenda putavi: quanquam fortassis aliunde habes. Quod reliquum est, ut per eum, quem socer meus ad vos mittit, de mea conditione certi quid cognoscam, et ut causam ipse promoveas meam, plurimum oro. videlicet ut Diploma conficiatur, mittatur, et anni jam exacti vel sesquianni potiùs solvatur pensio. Quicquid unquam in tui gratia potero, faciam. Jam diu saxum hoc volvo. Vale. Argent. xx. Septemb. 1552.

Jo. Sleidanus.

Joannes Marchio Brandeburgicus adducit Cæsari ad duo millia equitum. religioni est addictissimus. Nec aliter etiam militat, quam ut hoc ei sit liberum.

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[n] ["computi" omitted by Strype.]

NUMBER XCIX.[o]

[See p. 324 of this volume.]

ADVICES OF THE STATE OF THE EMPIRE[p].

Magnifico et spectabili viro D. Gulielmo Cæcilio, Equiti, Serenmi regis Angliæ Secretario, Domino suo multùm colendo.

Sal. XX die Septemb. ad te scripsi, vir ornatissime. quid Albertus egerit apud Treviros, jampridem audistis. Octobris die xxii reconciliatus est Cæsari per ducem Albanum. Impunè fecerit omnia, et militabit Cæsari, quocùnque loco jusserit. Pacta, cum Bambergico et Wurcibergensi Episcopo facta, erunt rata. Cæsar in gratiam recipit Ætingenses Comites, et Mansfeldios, patrem atque filium. Novembris die quartâ cepit Aumalium Albertus, Guisij fratrem, cæso illius atque fugato equitatu. 233 curatum ipsum ex vulnere nuper misit in suam quandam arcem, ad Bohemiæ fines. Cæsar in castra venit xx Novemb. Interea muri pars magna dejecta, sed oppositum est Vallum, et præsidiarij crebras faciunt eruptiones. Cæsarem aiunt nolle obsidionem solvere, neque discedere priusquam urbem receperit. Guisius fuit hactenus in urbe cum Nemorensi principe, cum Roschsurio, et Petro Stroza, num adhuc sint, ignoramus. Nam superioribus diebus eruptione factâ in Alberti castra, qui tum fortè quosdam ad prandium invitaverat, xviii equites dicuntur ex urbe evasisse in Galliam. Tormentorum et oppugnationis fragor non solùm hic exauditur, quod tridui viâ distat, verum quatuor etiam trans Rhenum milliaribus, et eò amplius. Cuniculis opinor jam tentari urbem. Mauritius ex Hungaria domum redijt, dimissis copijs, Turcæ domum et ipsi reverterunt: si non impetrentur induciæ, magnus indè motus expectatur. Castal-

Sir W. H[ickes's] MSS. [MS. Lansd. ii. 99.]

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[o] [Endorsement apparently in Sir M. Hickes's handwriting: "36. 27 Decemb. 1552. Jo. Sheid. (sic) Domino Cecillo."]

[p] [Strype's endorsement: "Advices of the state of the empire. That he is busy about his book. a loose postscript."]

dus dicitur bonam operam ijs locis navare Ferdinando regi. Nostrates Episcopi sollicitant nova fœdera, quandoquidem vident et experiuntur, quid sit periculi. E Saxonia mittuntur aliquot verbi doctores Augustam. Mansfeldicus bellum fecerat Henrico Brunsvicensi: num sit composita res, ignoramus. Is nunc est rerum status, nec aliud habeo quod scribam. A vobis nihil respondere mihi miror. neque scio, quid expectare debeam. oro te, Magnifice Domine, age causam cum [q]D. Revermo Cant: Equidem totus pergo in opere illo, et diligenter omnia conquiro. Dedi vobis occasiones et ansas, quibus apprehensis negotium nostrum conficeretis apud Seren. regem: hæc autem mora valde me coquit. Utinam aliquid saltem rescriberetis. Vale. xvii Decemb. M.D.LII. Argent.

Magnifæ tuæ
deditiss Jo. Sleid.

Commendes me velim D. Rever.^{mo} Cant. et D. Checo.

Sal. [r]Cuperem habere seriem actionis, quæ regi Henrico fuit cum Clemente Septimo, prius quam ab eo se suumque regnum in libertatem asseruit. Nam et hæc erunt inserenda suo loco.

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[q] ["D" omitted by Strype.]

[r] [This on a separate slip, headed, "Postscript of Sleidan's letter."]

NUMBER C.[r] 234

[See p. 324 of this volume.]

[s]Concerning his Commentaries, which he had sent to K. [t]Edward. Desires Sir William [u]Cecyl to send him an exact information of the business between K. Henry and Pope Clement. His resolution of continuing his [x]Commentaries, and of writing the History of the Council of Trent.

Magnificis et spectatissimis Viris, D. Joanni Chæco, et Gulielmo
Cæcilio, Dominis suis plurimum observandis.

Sal. Autumno superiori misi sereniss. Regi belli Germanici Commentarios, ad illud usque tempus conscriptos, et perjucundum mihi fuit, ex tuis literis, D. Cæcili, cognoscere, non ei displicere genus hoc scribendi; vobis etiam illud probari, gaudeo, Viris doctissimis et acri judicio præditis. itaque rectè facturum [y]me putavi, si Concilij Tridentini totam actionem, cujus etiam ego pars aliqua fui, regis causâ potissimùm conscriberem, ut, cujusmodi sit conciliorum forma, perspiciat, deinde, ut de reliqua historia restauratæ religionis, quam conscribo, judicium faciat. Nam inde ab anno salutis M.D.XVII. quo quidem anno fecit doctrinæ suæ Lutherus initium, rem omnem ordine deduxi ad annum usque M.D.XXXVI, et quod superest, eodem filo contexam, Dei beneficio. Sum autem in eo jam totus, et huic me rei soli trado, neque desistam adjuvante Deo, prius quam perfecero. Quale sit autem futurum opus, et quam utile non huic ætati modò, sed etiam toti posteritati, malo vos judicare vestrique similes, quam me prolixius de eo loqui.

Sir W. H[ickes's] MSS. [MS. Lansd. iii. 29.]

Mense Decembri petebam abs te, d. Cæcili, per literas, ut actionem omnem, quæ fuit Henrico Regi piæ memoriæ cum

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[r] [Endorsed "H. W. Joannes Sleidanus Joan. Checo G. Cecilio."]

[s] [This is Strype's original endorsement, with the following variations.]

[t] [to the king]

[u] [Cecyls exact information]

[x] [Commentaries to that present time]

[y] [me facturum]

Clemente VII, quando se suumque regnum in libertatem asseruit, mihi curares: habeo quidem ejus rei quædam, sed non tam exactè, neque certò, quàm velim. Cupio enim propriè et quam verissimè omnia describere. quod quidem in ijs Commentarijs, quos jam mitto, quique sunt futuri pars operis, animadvertere vos posse puto. Magni ergo beneficij loco mihi erit, si in eo mihi gratificaberis. est enim locus illustris atque memorabilis, et omnino dignus de quo posteri cognoscant. siquid præterea sit apud vos hujus generis, unà velim transmitti. Quod superest, notum est vobis, Magnifici et Clarissimi Viri, tibi cum primis, d. Chæce, quemadmodum seren. Rex, ante biennium, nempe anno M.D.LI, sub finem Martij, stipendium mihi constituit annum absenti, coron. aureos ducentos, uti Revermus. D. Cantuar: tunc temporis abituro socero meo, domumque redituro, Doctori Brunoni, nomine regis confirmavit. Et quoniam ejus pecuniæ nihil adhuc accepi, plurimùm vos oro, quod antehac quoque feci non semel, detis operam, ut tandem solvatur. Possem equidem alia facere negotia magno meo cum emolumento, sicut alij plærique, sed ad hunc laborem divinitus me vocatum esse judico, nec animo possum esse quieto, donec, ad
235 hoc usque tempus perduxero. quo magis etiam spero, vos, qui pro vestra humanitate atque prudentia rectè omnia intelligitis, in hoc esse elaboraturos, ut de biennio jam exacto mihi nunc satisfiat, et in posterum caveatur, quò videlicet tanto commodius atque liberius huic rei vacare possim. Quanti enim hic labor mihi constet, vobis æstimandum relinquo. Pertinet autem ad reges, ut ejusmodi labores, qui sunt et literis ornamento et religioni, et utiles reip. foveant. Si quid est omnium rerum, in quo vicissim ego vobis inservire queam et gratificari, paratum me semper habebitis. Veruntamen, ut hoc meum scriptum de Concilio diligenter asservetur in bibliotheca regis, nec in aliorum manus perveniat, nec ulli detur ejus exemplum, vehementer vos oro: nam mea plurimum refert, ne spargatur, et est solum, ut ante quoque dixi, particula quædam operis futuri. De statu rerum nostratium, scire vos arbitror. Galli, sub finem Januarij libros de religione scriptos a nostris hominibus, ubi per monachos conquisivissent in ædibus, publicè per carnificem exusserunt Meti. [z]Postridie discessit Guisius, inque Galliam redijt.

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[z] [“Postridie —— rediit” added in the margin.]

Luneburgi fuit multorum principum atque civitatum Saxoniæ Conventus. Nuper etiam Palatinus Elector, Bavarus, Clivensis, atque Wirtembergicus convenerunt Wimpaffæ. Brevi cognoscemus quid sit. Princeps Urbinas dicitur esse factus minister Julij tertii. Transylvani pacem fecerunt cum Turca, de voluntate Ferdinandi Regis, ut scribitur, et annuum ei pendunt vectigal. Augusta Vindelicorum tenetur adhuc præsidio, quod Cæsar ante sextum mensem ibi reliquit. Videtur aliquis ibi motus impendere: nec enim omnes præsentem statum ferre possunt. Volratus Comes Mansfeldius habet adhuc exercitum, neque certò scitur, in quem usum. sed non diu latere potest quicquid est. Quod reliquum est, ut lætum atque jucundum a vobis nuncium accipiam, imprimis opto. Deus vos servet. Argentorati. Idibus Martij. M.D.LIII.

Oro vos plurimum, ut has meas literas atque scriptum Serenismo. regi exhibeatis cum nostri commendatione. Habetis opportunissimam negotij mei conficiundi occasionem. Obsecro, perficite, ne mihi sit opus in posterum eâdem de re scribere.

Vestri observantissimus,
Joan. Sleidanus. Li.

Richardo Hils, mercatori Londinensi, qui nobiscum aliquando habitavit, licebit dare quicquid mihi debetur. Cupio autem, atque etiam oro, ut per eum, qui has reddit, soceri mei famulum, mihi respondeatis.

Conjunctim vobis scribo, quia summam inter vos esse animorum conjunctionem accipio, ut judicij similitudinem.

Mauritius Elector dicitur solicitare, ut exercitum Mansfeldicum ad se traducat, et coquere nova consilia.

236 NUMBER CI.[a]

[See p. 324 of this volume.]

Concerning the Affairs of Germany; and particularly of the Councel of Trent.

Ornatissimo Viro D. Gulielmo Cæcilio, Serenissimi Regis Angliæ Secretario.

Sir W. H[ickes's] MSS.

Sal. De rebus actis Tridenti, non dubito quin ex Aschami Rogeri literis, ad quem scripsi, cognôris, Vir Ornatiss. Post impetratum fidem publicam, quod fuit sub finem Januarij, Dux Mauricius putabatur omnino missurus esse Philippum et alios. Norenbergam enim usque præmiserat. Sed cum aliquandiu fuissent ibi commorati, sub finem Februarij revocavit eos, ad maturitatem jam prope deductis belli consilijs et apparatu. Dux Christophorus autem Wirtembergicus, qui doctrinæ Confessionem exhibuerat antea per Legatos Tridenti, Brentium eò misit cum tribus collegis, quibus se conjunxerant duo nostræ civitatis Theologi; et hi quidem Tridentum venerunt, ad xviii diem Martij. In alterum diem fuerat indicta, quam vocant, sessio. Sed nihil tum fuit actum: eaque sessio fuit ad Calend. usque aij prorogata. Postquam ergo Legati Wirtembergici, qui nuper eò venerant recentes, et ego, nostræ Reip. nomine, Theologos nostros, apud Cæsaris treis Oratores ibi, certis legibus, ad futuram actionem obtulimus et admisimus: Ego, qui jam in quintum mensem ibi fueram, sed finem Martij discessi, et ad xii Aprilis huc redij. Priusquam abirem, de voluntate Sociorum egeram diligenter apud alterum Cæsaris Oratorem, de modo processus, et urgebam ut Theologi nostri publicè audirentur, aut super articulis ibi definitis, aut super capitibus doctrinæ, juxta seriem Confessionis exhibitæ. Hoc autem invitissimi faciunt; neque publicum ipsis auditorium, opinor, facilè concedent. In quo quidem si perseverent, tum nostri discedent. Et hic quidem fuit, me discedente, rerum status. Qui sunt ibi doctiores, Brentium norunt ex scriptis, et ipsius expetunt colloquia. Sunt ibi Hispani Episcopi xxv, Itali totidem aut plures: et hi quidem actionis atque moræ pertæsi, spectabant abitionem; illi verò, Cæsaris authoritate, qui cœtum illum dissolvi non temerè patitur, continentur. Jam Episcopi nostrates omnes abierant, præter Curiensem et Constantiensem, qui tamen et ipse paucis post me diebus dicebatur esse discessurus.

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[a] [The Editor has not been able to discover the original.]

Videt Cæsar, quam non facilè recolligi possit ejusmodi cœtus posthâc, si nunc eum dissipari contingat: ideóque tantopere studuit hactenus eum continere. Digressus, cum venissem Ænipontem, D. Legatum Morisinum Halæ conveni Calendis Aprilis. Postridiè continuato itinere intelligebam obsideri Augustam Vindelicorum ab duce Mauricio, filijsque Lantgravij, et Alberto Brandeburgico. Biduo post occurrit mihi in via D. Morisini Conjux, quæ per Augustam huc profectura, cum difficilem fore transitum audisset, ad maritum redibat. Eodem die deditionem fecerunt Augustani, qui fuit hujus mensis dies quartus. Erant in urbe tria peditum signa, ductore Walthero Hirnheincio: qui omnes liberaliter, nullâ devincti lege dimissi fuerunt. 237
Postridiè sunt urbem ingressi principes, qui veteri restituto Senatu et tribubus, uti in reliquis etiam oppidis fecerant, et constitutâ novâ Rep. et tormentis tum Civitatis, tum Cæsaris, quæ sunt ibi plurima, perquisitis, die Aprilis septimo discesserunt. Quibus autem conditionibus pacti sunt cum Oppidanis, adhuc quidem ignoro. Fuggerus Antonius pridie deditionis excesserat urbe, et quatuor ab Æniponte milliaribus, mane mihi occurrit, tribus tantum comitatus. Ulma post iter feci, qui tunc præsidium habebant, tria signa peditum, et videbantur ad defensionem omnino spectare. Postridiè quam illinc abij, nempe octavâ hujus mensis die, Principes, Mauricius, Lantgravij filius, et Megelburgius, datis ad eos literis, commeatum et alimoniam, et alia quædam, ab ipsis petebant. Eas ad literas cum nihil illi responderent, Principes undecimâ hujus denuò scripserunt, seque ipsos appropinquaturos nunciabant; et hoc ipso tempore oppidum obsident. Est autem ea civitas valdè locuples, et quia magnam obtinent circùm ditionem, arces, castella, oppidula, prædia, vix opinor tolerabunt obsidionem. Proximus est impressioni Dux Wirtembergicus, qui sanè pacem libenter coleret, si per tempora liceret: ab eo rectum est iter ad nos. Altera

ipsorum pars exercitus petit Alpes, credo, ut aditus occupent, nequis externus miles egredi possit. His copijs, opinor, præest Albertus Brandeburgicus una cum Hedeckio.

Quid Cæsar agat, aut ubi sit, nescimus. Ego cum essem Æniponti, nihil quicquam vidi apparatus; magnumque tum erat ibi silentium in aula, magnaque solitudo, nisi quod eo ipso die nonnullis fuit datum negotium conscribendi copias. Dubium tamen non est, quin Italum et Hispanum militem Cæsar evocarit. Electores Rhenani suos habent apud principes Legatos de pace: sed plærique putant difficillimam esse futuram tractationem. Æniponte mihi dicebatur, Cæsarem in hoc esse totum, ut Mauricium placaret. Et hic quidem paroxysmus nobis imminet ab oriente sole: jam vero ab occidente multò ferè terribilior instat. Nam Metim urbem Gallus tenet, et per vicinum nobis agrum iter faciens, volet etiam hanc nostram urbem fortassis videre, multúmque hoc ad suam gloriam pertinere putabit, eoúsque signa promovisse. Quod si alter exercitus, occupata Ulma, cæterisque domitis, ad nos etiam propius accedet, vides in quantis simus angustijs. O! quis erit hujus tragediæ tandem exitus? Gorziam oppidum et Abbatiam prædivitem Galli, ante diem octavum, vi ceperunt, diripuerunt, incenderunt, opinor, præfecto Hispano, cum 38 militibus, suspenso. Theonis villa, Lucemburgicæ ditionis oppidum munitum, quatuor à Meti milliaribus, ad Mosellam flumen, habet equitum peditumque præsidia, et nuper emissis fæminis atque pueris, obsidionem tolerabit. Eo enim capto oppido, nihil ferè est ijs locis, quod vim ullam majorem diu sustinere possit.

Hæc est rerum apud nos facies. Vos multòs fæliciores, qui festinam pacem colitis in pulcherrima regione. Socer meus, quem nosti, datis ad me literis (nam est in agro Metensibus vicino) multam tibi salutem nunciat, seque diligenter vobis omnibus commendat, et jussit ut hæc, tam suo quam meo etiam nomine, tibi scriberem, quandoquidem ex ijs locis, ubi nunc est, et in hac temporum asperitate, non ita commodè potest ipse ad
238 vos dare literas. Quod cum ità sit, nolui hoc officium prætermittere, ut de ipsius apud vos observantia studioque perpetuo cognosci posset. Quanquam et ipse, pro meo in vos affectu, mea sponte scripturus eram: et spero vos in optimam partem hæc accepturos esse, quæ fortasse jam aliundè etiam accepistis.

Attamen quia rebus ipsemet tractandis interfui Tridenti, puto vobis tanto futurum esse gratiorem hanc qualemcunque narrationem. Quod superest, ut meum negotium, quod aliquot nunc annis agitatur, et de quo Reverendiss. D. Cantuariensis, anno superiori, Socero meo certum quid dixit, promoveas, Vir ornatissime, etiam atque etiam rogo. Sereniss. Rex constituit mihi, sicut Cantuariensis dixit Socero, annuos ducentos absenti. Ut ejus rei conficiatur Diploma magnoperè peto, sicut hactenus, eamque mihi pecuniam dependi flagito. Scis rem omnem haud dubiè, alioqui prolixior essem: et priusquam irem Tridentum, scripsi eâ de re D. Chæco, sicut etiam Reverendiss. D. Cantuariensi. Nihil hactenus mihi responsum est à vobis: quo magis peto, ut per te certi aliquid cognoscam. In eo feceris et Socero mihique gratissimum. Vale. Argent. xviii. April. 1553.

Joan. Sleidanus, Licent.

Has literas oro communices Reverendissimo D. Cantuar. Nam sic scribo ad ipsum. Per Richardum Hillis mercatorem vestratem rectè poteritis ad nos, nisi alia sit ratio commodior. Clarissimo Viro D. Checo plurimum et officiosè me commendo.

NUMBER CII[a].

[See p. 324 of this volume.]

MARTIN BUCER TO THE SECRETARY, FOR THE SPEEDING OF SLEIDAN'S BUSINESS.

[b]Summâ dignitate viro, et pietate præcellenti D. Sicilio, Regiæ Majestatis a Secretis, Domino ac patrono suo summoperè colendo.

Sir W. H[ickes's] MSS. [MS. Lansd. ii. 51.]

S. P. Vir Clarissime, Accipies hic meas literas, quamlibet ægrè dictatas, ad summè doctum et pium medicum D. Joannem Quercetanum. Sed te per Christum rogo, nosti supplicationem nostram pro Sleydano, si possis ullâ ratione impetrare, dari

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[a] [Headed, in Sir Michael Hickes's handwriting, "xviii° Februarii 1550. Mr. Martin Bucer to my Mr."—In Strype's, "For the speeding of Sleidan's business."]

[b] [Endorsement]

responsum, in utram placeat partem: nosti hoc decere administrationem Regni, et ceteris, et Religionis beneficio tantoperè ornatam. Dominus prosequatur te, tuosque omnes beneficentiâ cumulatissimâ. Cantabrigiæ, 18 Feb. M.D.LI.

Clarissimæ Dominationi tuæ
deditissimus in Domino,
M. Bucerus.

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NUMBER CIII.

[See pp. 351, 352 of this volume. Two letters are alluded to by Strype; but the original of the former here given cannot be found. The second is printed for the first time, forming the sequel to this; No. ciii.*]

RALPH MORICE, THE ARCHBISHOPS SECRETARY, HIS SUPPLICATION TO QUEEN ELIZABETH, FOR PRIOR WILBORE'S PENSION, LATELY DECEASED.

To the Quenys most excellent Majestie.

Sir W. H[ickes's] MSS.

In his most humble wise, shewith and declarith unto your most excellent Majestie your highnes humble subject and Orator Raphe Morice, sometime servant unto that worthie Prelate of godly memorie, Tho. Cranmer, late Archbishop of Canterburye. That whereas your highnes said Orator for the space of 20 yeres and above, being reteynid in service with the said most Reverend father, in the rowme of a Secretary, bestowed and spent both his time, youthe and prosperitye of his life, not so much in writing of the private busynes of the said most Reverend father, as in travailing with his pen aboughte the serious affaires of the Prince and the Realme, commyted unto him by those most noble and wurthie princes, K. Henry the eighth, and K. Edward the Sixth, your Majesties dere father and brother, concernyng aswel the writyng of those great and weightie Matrimonyal causes of your highnes said dere Father, (the good effecte, successe and benefit wherof to Godds glory, this hole realme with the Subjects therof, in your highnes most noble and royal personage, do now most happilie enjoye,) As also aboute thexstirpation of the Bishop of Rome his usurped power and authoritie, the reformation of corrupte religion, and Eccle-

siastical Lawes, thalteration of Divine Service, and of divers and sundry conferences of lernid men, for thestablishing and advancement of sincere religion, with such like. Wherin your highness said Orator most painfullie was occupied in writing of no small Volumes, from tyme to tyme. As in that behalf divers lernid men now lyving can testifie; namely Dr. Hethe, Dr. Thirleby, the Bisshopes of Elie, Chichester and Heriford. And for that the said most Reverend Father was myndeful and desirous some deale to recompence the payneful service of your said Orator, he of his own mere motion and good disposition procurid for your highnes said Orator, a lease of the parsonage of Ospringe within the Count of Kent, ympropriated unto the Colledge of S. Johns in Cambridge: which towardes the mayntenance of your said Orators lyving was better than 40 markes by the yere *de claro*, when Wheat was but a Noble the quarter. Which lease of the said parsonage being so grauntid, and redie to be sealid by the Master and felowes of the same Colledge, one Hawkyns of the Garde, by his ymportunate sute, made unto your highnes said dere father the Kinges Majestie, so wan his highnes favour therin, that his Majestie obteynyd the said Lease to be sealid to the use of the said Hawkyns. His Majestie nevertheles promising unto D. Day, then Master of the said Colledge, and sone after unto the said most Reverend, that his 240
highnes wolde otherwise recompense your said Orator for the same with like valewe or better: as the said Hawkyns now lyving can testifie the same. This notwithstanding, most dere Soveraigne Lady, Almighty God preventing the time of any such recompence by calling your highnes said father unto his mercy, your highnes said Orator remayneth as yet unrecompenced to his great hinderaunce, and ympoverishmente. For now being declyned unto age, and having 4 daughters left by thair mother marriageable, your said Orator is neither of habilitie to bestow them according to his vocation, as he might have done, yf that small lyving so prepared for him might have remayned to his use; Nor hymself to lyve withouten danger, onles your Majestie, of your benigne great goodnes, do extende your highnes liberalitie, aide and succour unto hym. And for that your highnes said Orator doeth understand, that one Mr. Wilbore, sometyme Prior of the Monasterie of S. Austens,

departed this transitorie life before Mighilmas last past, who hath a yerelie pension of your majestie of now by reason of his death in your gracious disposition, It may please your highness in consideration of the premisses, and for that it is reported, that your said most noble, and dere father provided and willed in his last testamente, that such of his subjects, as by his highnes did susteyne any maner of damage or hinderaunce sholde be satisfied for the same; to be so good and gracious Soveraigne Lady unto your said Orator, in the furtheraunce of his said poor daughters marieges, as to graunte unto hym the said pension during his life, with tharrerages of this last half yere deu at the said feast of S. Michel tharchangel last past. In accomplishing wherof your highnes shal not only do a right charitable and a meritorious deed, but also therbie throughlie satisfie and recompence your said Orator for the said lease so surrendred at the request of your highnes said dere father. Although the said Orator hath lost in forbearing of the same above M. mark for the space of these eighteen yeres and above, corn being at such a price as it hath byn: And finallie bynde both hym and al his, during thair lyves, dailie to pray unto Almighty God for the most prosperous estate of your Majestie in moche honour and felicite to indure.

[NUMBER CIII.*[a]

A SUPPLICATION TO THE QUEEN FROM RAPHE MORICE, SOMETIME SECRETARY TO ARCHBISHOP CRANMER, AND HIS FATHER SERVANT TO THE COUNTESS OF RICHMOND AND DERBY.

To the Quenys most excellent Maiestie.

[Sir W. Hickes's MSS.—MS. Lansd. cviii. 8.]

In his most humble wise sheweth and declareth unto your mooste excellente Maiestie your highnes most humble Orator Raphe Morice, sonne unto James Morice late of Roydon in the Countie of Essex esquier some tyme servaunte unto that virtious and noble princesse of renowned memorie L. Margaret Countesse of Richemond and Derbie your highnes great grandemother, and to her grace also Clerke of her Kechin, and Mr. of her werkes namelie of those ii Colleges in Cambridge Christe Colledge and St. Johns. That Whereas [b]apon acertyne survey of an accompte, about the newe erection of the Courte of surveying, the said James Morice and Willm. Morice his sonne Receyvors ioyntelie as well of the landes called Richemonde landes, as of the landes named the reconcred landes, did not onelie surrender those said ii Offices, but also [c]apon certeyne aggrementes concluded and comprised in the kinges highnes Lettres patentes, did also surrender and give over into his Maiesties handes, ii leases of ii manors lying within the parishe of Roydon aforesaid: Whereof thone ys of the Manor and lordeshipp of Roydon, of lxiiii yeres than to come, rentyng yerlie unto Christes Colledge in Cambridge xliii^{li} And thother lease of xlii yeres than to come of the Manor and parsonage called the Temple liyng in Roydon aforesaid, rentyng yerlie xviii^{li} unto the Lorde of St. John's besides London. whiche ii manors by ymprovemente and industrie of the said James was and ys fullie ymprovid over and above the yerlie accustomed rente to the somme of lvi^{li} xiii^{s}. iv^{d} de claro. And Where as upon the said aggremente betwene your highnes dere father Kyng Henry the viii and the said James Morice It pleased his highnes of his benigne liberalitie, and in consideracion bothe of the premisses, and for the longe, true, and faithfull service, don by the said James unto his highnes, to give, excepte, and reserve certayne Tenementes lande pasture and medowe out of the said ii Lordshipps, to the use of the said James his heires and assignes for ever, as more particularlie maie by the said Lettres Patentes appere redie to be shewed. Which said Tenementes with the premisses so excepted and reserved the said James who died in the seconde yere of Quene Marie, your Maiesties dere suster) did moost quietlie enioye withoute any lett, perturbation or interruption of any person, according to the true intente and meaning of his moste excelent maiestie untill nowe of late, that the leases of the said Manors being divers waies solde and made awaie vnto sondrie persons euery man for his tyme seking and narrowlie loking and considering the wourdes of the said Lettres patentes, do nowe pretende to make clayme and title vnto the said Landes so excepted, vpon thonelie information of one Thurgood Stewarde of the Courtes there Who supposing that there are not wourdes sufficiente in the said Lettres patente to the said exceptions wulde make frustrate the kynges Maiesties said godlie meanyng in that behalf insomoche that he at euery Courte he goeth aboute to make seasurs of suche copie holdes, as arr within the compase of the said exceptions. And for that it ys thought that by the negligence of the writer certayn wourdes arr omitted and lefte out, and otherwise written then thir ought to be, as particularlie maie appere in the said Lettres patents. Your highnes said Orator having certeyne parcells of the customarie Landes so excepted come into his possession, most humblie beseecheth your Maiestie in consideracion aswell of the longe true and faithfull seruice don by the said James Morice vnto your highnes noble progenitors, As for the poore and paynefull seruices that your said Orator of late yeres haue don in thaffaires [d]of of this realme vnder that godlie prelate Thomas Cranmer late Archebysshopp of Canterburie, to be so good and gratious soueraigne Ladie vnto your said Orator. As by your highnes Lettres patentes, the said exceptions, maie be ratified and confirmed in such sorte, as wherby the godlie disposition intente and meanyng of your highnes said dere father maie be in force to the vse of the said James Morice his heires and Assignes for euer. Whose godlie meanyng in that behalf. Justice Walshe, and Roger Amys gentleman one of your Maiesties surveiors can right well declare and reporte, for that thone of them was of Counsaile in drawing of the boke, and thother sondrie tymes wrate the same, and hadd dyuers tymes conference with the generall surveior on the behalf of the said James Morice, beyng than by ympotency of age not hable to attende hymself theron In accomplishing wherof your highnes said Orator shalbe Dailie bounde durng his life to praie unto Almightie god for the good prosperous estate of your Maiestie in honour and felicitie longe to endure.]

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[a] [See preceding number.]

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[b] [sic] [c] [sic]

[d] [sic]

NUMBER CIV.

[See pp. 269, 391 of this volume. The text here given is taken from the copy in the British Museum which has 1541 in the title page, and Nov. 1540 in the colophon: printed by Grafton. This has been collated with the April and July copies in the British Museum, the particulars of which follow, as they are not accurately distinguished in the Catalogue. April 1540. Whitchurch: lettered, "Grafton 1540." July 1540. Grafton: lettered, "Grafton: Fynissed July 1540." It does not appear that Strype was supported in his peculiar variations by any existing copies: at least not by those of May and Dec. 1541. The variations in the April and July copies are indicated by A. and J: those of Strype by S. No important difference exists, as will be seen, between these copies as to matter. The marginal references and headings are not given in the April book, but are to be found in the others. The chief differences consist in corrections of misprints, occasional changes of capitals for small letters, and vice versa, the introduction of Italics in the July and Nov. copies, typical recomposition, and variations in the orthography. The latter indeed afford a curious illustration of the very unfixed state, at this time, of English spelling, which seems to have abandoned all rules, having manifestly deteriorated since the 15th century. The November book bears on the title page 1541, but in the colophon Nov. 1540. This confusion of dates is well known to English bibliographers. See Dr. Cotton's List of the Editions of the Bible, especially Introd. p. ix. The well known magnificent vellum copy which belonged to Henry VIII, is of April 1540. The title page is illuminated, but has no printer's name.

Connected with this subject, it may be serviceable to reprint here a valuable extract from the late Mr. Rae Wilson's rare Catalogue of his collection of English Bibles, furnished by a learned correspondent, (S. R. M.) to the Notes and Queries, vol. ix. p. 120. "As this volume" (that of April 1539) "is commonly called the first edition of Cranmer's, or the Great Bible, I class it with the six following," (viz. April, July and Nov. 1540: May, Nov. and Dec. 1541,) "although in fact the archbishop had nothing whatever to do with either the translation or publication. It was put forth entirely by Thomas Lord Cromwell, vide Herbert's *Ames*, p. 1550. vol. iii, who employed Coverdale to revise the existing translations. The first wherein Cranmer took any part is the large folio of April 1540, the text of which differs from this edition materially. The pages of this volume and of the four next following begin and end alike; and the general appearance of the whole five is so very similar, that at first sight, one may be mistaken for another by those ignorant of the fact that they are all separate and distinct impressions: the whole of the titles, of which there are five in each book, and every leaf of kalendar, prologue, text, and tables being entirely recomposed, and varying throughout in orthography, &c. The desire to make perfect copies out of several imperfect, has also caused extreme confusion, by uniting portions of different editions without due regard to their identity. These remarks apply equally to the editions of Nov. 1540, and Nov. 1541, of which, in like manner, each page begins and ends with the same words. Although the distinctive marks are very numerous, yet being chiefly typographical ornaments or arrangements, it is impossible to give here sufficient guides to ensure the integrity of each volume." Mr. Wilson subjoins a fac simile of the same verse of Scripture from each edition, which curiously illustrates the remarks made above.—See Jenkyns's Remains of abp. Cranmer, vol. ii. p. 104. Lewis's Hist. of English Bibles, pp. 121. 136. Todd's Life of Cranmer, vol. i. p. 228.]

[Cranmer's Bible: Nov. 1540. Jenkyns's Remains of abp. Cranmer: vol. ii. p. 104. Abp. Cranmer's Works: vol. ii. p. 118. Park. Soc. Ed.]

[b] A PROLOGUE OR PREFACE, MADE BY THOMAS CRANMER, LATE ARCHBISHOP OF CANTERBURY, TO THE HOLY BIBLE.

¶ A Prologue or preface made by the moost reverende father in God, Thomas Archbyshop of Cantorbury Metropolytan and prymate of Englande.

241 [c] For two sondrye sortes of people, it semeth moche necessary, that somthynge be sayde in the entrye of thys booke, by the waye of a preface or prologue wherby herafter it maye be both the better accepted of them which hitherto coulde not well beare it: and also the better used of them, which hertofore have mysused it. For truly, some there are that be to slowe, and neede the spurre; some other seme to quycke, and nede more of the brydell. Some loose theyr game by shorte shotynge, some by overshotyng. Some walke to moche on the lefte hand, some to moche on the ryght. In the former sorte be all they that refuse to reade, or to heare redde the scripture in the vulgar tongue, moch worse they that [f] also let or discourage the other from the readynge, or hearinge therof. In the latter sorte be they, whiche by their inordynate readyng, undiscrete speakynge, contentyous disputyng, or otherwyse, by theyr licencyous livyng, slaunder and hynder the worde of God, moste of all other, wherof they wolde seme to be greatest furtherers. These two sortes, albeit they be most far unlyke the

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[b] [This heading is Strype's. The actual title follows in the next paragraph.]

[c] [Concerning two: S.]

[d] [by way: S.]

[e] [theyr vulgar tongues: A. J.]

[f] [let also: S.]

one to the other, yet they both deserve in effect lyke reproche. Neyther can I well tell whyther of them I maye judge the more offender, him that doth obstynately refuse so godly and goodly knowledge; or him that so ungodly and so ungoodly doth abuse the same. And as touchynge the former, I would mervayle muche that any man shulde bee so mad, as to refuse in darkenes, light: in honger, foode: in colde, fire: for the word of God is light **lucerna pedibus meis, verbum tuum*[g]. Foode, ‡*Non* *Psal. 119. o.
in solo pane vivit homo, sed in omni verbo[h] *dei.* Fyer, *Ignem* Mat. 4. a.
veni mittere in terram et quid volo nisi ut[i] *ardeat?* I wolde Luke 12. g.
mervayle (I say at thys) save that I consyder how muche custome and usage maye doo. So that yf there were a people as some wryte, *de cymeriis,* whyche never sawe the Sunne, by reason that they be sytuated farre towarde the North pole, and be enclosed and overshadowed wyth hye mountaynes; is it credyble and lyke ynough, that yf by the power and wyll of God, the mountaynes shoulde synke downe and geve place, that the lyghte of the Sunne myghte have entraunce to them: at the fyrste, some of them wolde be offended therwith. And the olde proverbe affirmeth, that after tyllage of corne was fyrste founde: many delyted more to fede of maste and acornes, wherwith they had bene accustomed, then to eate bread made of good corne. Suche is the nature of custome, that it causeth us to beare all thynges well and easelye, wherewyth we have bene accustomed, and to bee offended with all thynges thereunto contrary. And therfore I can well thynke them worthy pardon, whyche at the commynge abroade of scripture douted and drewe backe. But suche as wyll persyste styll in theyr wylfulnesse, I must nedes judge not onely foolyshe, frowarde and obstinate: but also pevyshe, perverse, and indurate. And 242
yet, yf the matter shulde be tryed by custome, we myght[j] also allege custome for the readynge of the scrypture in the vulgare tonge, and prescrybe the more auncyent custome. For it is not much above one hundreth yeare ago, sence scrypture hath

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[g] [*tuum. Thy word is a lanthorn unto my feet.* It is food: S.]

[h] [*Dei: Man shal not live by bread onely, but by every word of God.* It is fire: S.]

[i] [*ardeat. I am come to send fire on the earth, and what is my desire, but that it be kindled?* I would: S.]

[j] [also too allege: S.]

not bene accustomed to be redde in the vulgar tonge within this realme: and many hundred yeares before that, it was translated and redde in the Saxones tonge, whych at that tyme was oure [k]mothers tonge: whereof there remayne yet dyverse copyes, founde lately in olde abbeys, of such antique [l]manners of writynge and speakyng, that fewe men now ben able to reade and understand them. And when this langage [m]waxed olde and out of comen usage, bycause folke shulde not lacke the frute of readyng, it was agayne translated [n]into the newer langage. Wherof yet also many copyes remayne, and be dayly founde. But nowe to let passe custome, and to weye as wyse men ever shulde, the thynge in his owne nature. Let us here discusse, what it avayleth scripture to be had and redde of the laye and vulgare people? And to this questyon I entend here to saye nothynge: but that was spoken and wrytten by the noble doctour and most morall divyne, sayncte John Chrisostome, in his thyrde sermon *de Lazaro**, albeit I wyll be somethynge shorter, and gather the matter into fewer wordes and lesse roume then he doth there: because I wolde not be tedyous. He exhorteth there his Audyence, that everye man shulde reade by hymselfe at home in the meane dayes and tyme, betwene sermon and sermon: to the entent they myght both more profoundly fyxe in theyr myndes and memoryes that he had sayde before upon suche textes, wherupon he had already preached; and also that they myghte have theyre myndes the more readye and better prepared to receyve and parceyve that whyche he shulde saye from thensforth in his sermons, upon suche textes, as he had not yet declared and preached upon: therfore sayeth he there: My comen usage is to geve you warnynge before, what matter I intend after to entreate upon, that you your selves in the meane dayes may take the booke in hande, reade, weye and perceyve the summe and effecte of the matter: and marke what hath been declared, and what remayneth yet to be declared: So that therby your mynde maye be the more furnyshed to heare the reste, that shal bee sayde. And that I exhorte you (saith he) and ever have, and wyl exhorte you, that you, (not only here in the Church) geve eare to that, that is sayde by the preacher: but that also, when ye be at home in

S. Chrisostome.

*[Ed. Bened. tom. i. p. 736. et seqq.]

[k] [mother: S.] [l] [manner: S.] [m] [waned: S.] [n] [in: A. J.]

youre houses, ye applye youre selves, frome tyme to tyme, to the readynge of [o]holye scriptures: whyche thynge also I never lynne to beate into the eares of them that [p]be my famylyers, and wyth whome I have pryvate acquayntaunce and conversacyon. Let no man make excuse and saye (saith he) I am busyed aboute matters of the comenwelth, I beare this offyce or that, I am a craftes man, I muste applye myne occupacyon, I have a wyfe, my chyldren muste be fedde, my householde [q]must I provide for. Breifly I am a man of the worlde, it is not for me to reade the scriptures, that belongeth to them that have bydden the worlde farewell: which lyve in solitarynes and contemplacyon, and have been brought up and continually [r]nosylled in learninge and relygion. To this answerynge: what sayest thou man (sayeth he) is it not for the to studye and to reade the scripture: because thou arte encombred and destract with 243
[s]cures and busynes? So much the more is it behovefful for the to have defence of scriptures: how much thou art the more dystressed in worldly daungers. They, that bene fre and farre from trouble and entremedlynge of worldly thynges, [t]lyve in savegarde and tranquyllytye, and in the calme, [u]or within a sure haven. Thou arte in the myddest of the see of worldely wyckednesse, and therfore thou nedest the more of ghostly succoure and conforte: they syt farre from the strokes of battayle, and farre out of gunne shote, and therfore they be but seldome wounded: thou that standest in the forefrount of the hoost, and nyest to thyne enemyes, must nedes take nowe and then many strokes, and bee grevously wounded. And therfore thou hast most nede to have thy remedees and medicynes at hande. Thy wyfe provoketh the to anger, thy child geveth the occasyon to take sorrow and pensyvenesse, thyne enemies [x]lye in wayte for the, thy neyghboure mysreporteth the, or pycketh quarels agaynste the, thy mate or partener undermyneth the, thy lord judge, or justice threteenth the poverty is paynful unto the, the losse of thy deare and welbeloved causeth the to morne.

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[o] [of the holy: A. J.]

[p] [bene: A. J.]

[q] [must be provided: S.]

[r] [nursilled: S. *Nousle* and *nursle*, according to Todd, in his edition of Johnson's dictionary, mean both *to nurse up*.]

[s] [cares: S.]

[t] [lyueth: A. J.]

[u] [and: S.]

[x] [lyeth: A. J.]

Prosperyte exalteth the, adversitye bryngeth the low. Brefly, so dyverse and so manyfold occasions of cares, tribulacyons and temptacyons [y]besette the and besege thee rounde about. Where canst thou have armour, or fortreess agaynst thine assautes? Where canste thou have [z]salves for thy sores, but of holy scrypture? Thy flesh must nedes be prone and subject to fleshly lustes, which dayly walkest and arte conversaunt [a]amonge wemen, seyst theyr bewtyes set forth to the eye, hearest their nys and wanton wordes, smellest their balme, civet and muske, with other lyke provocacions and stiringes, except thou hast in a redines wherwith to suppresse and avoide them which cannot elleswhere be had, but onely out of the holy scriptures. Let us [b]areade and seke all remedyes that we can, and all shalbe lytle ynough. Howe shall we then do, yf we suffre and take dayly woundes, and when we have done, wil syt styll and serch for no medecynes? Doest thou not marke and consyder howe the smyth, mason, or carpenter, or any other handy craftes man, what nede soever he be in, what other [c]shyfte soever he make, he wyll not sell, nor laye to pledge the tooles of his occupacyon, for then how shulde he worke his feate, or get his livynge therby? Of lyke mynd and affeccion ought wee to be towardes holy scrypture, for as mallets, hammers, sawes, chesylles, axes, and hatchettes be the tooles of theyr occupacyon: So [d]be the bookes of the prophetes and apostels, and all holy [e]wrytte inspired by the holy ghoste the instrumentes of our salvacyon. Wherfore let us not stycke to bye and provyde us the Byble, that is to saye, the bookes of holye scrypture. And let us thynke that to be a better Juel in our house than eyther golde or sylver. For lyke as theves bene lothe to assaute an house, where they knowe to be good armoure and artyllary, so wheresoever these holye and ghostlye bookes [f]bene occupyed, there nether the devel, nor none of his aungelles dare come nere. And they that occupye them bene in moche savegarde, and [g]have a great consolacyon, and bene the redyer unto all goodnesse, the slower [h]to all evell: and yf they have

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[y] [besetteth : A. J.]

[z] [salve : A. J.]

[a] [amongest : A. J.]

[b] [reade : A. J. S.]

[c] [shift he : S.]

[d] [bene : A. J.]

[e] [writers : S.]

[f] [be : S.]

[g] [hauen greate : A. J.]

[h] [unto : S. of : A. J.]

done any thynge amysse, anone even by the syght of the bookes theyr conscyences ben admonyshed, and they [i]waxen sory and ashamed of the facte. Peradventur they wyl saye unto me: how and if we understand not that wee reade, that is conteined in the bookes. What then? Suppose thou understande not the depe 244
and profounde mysteries of scriptures, yet can it not be, but that much frute and holynes must come and growe unto the by the readynge: for it cannot be, that thou shuldest be ignoraunt in al thynges alyke. For the holy ghost hath so ordered and attempred the Scriptures, that in them, as well publycanes, fyshers, and shepheardes maye fynde theyr edifycacyon, as greate doctours theyr erudicyon: for those bookes were not made to vayne glorye, like as were the wrytinges of the gentile phylosophers, and rhethoricyans, to thentent the makers shulde be had in admiracyon for their hye styles and obscure [k]maner and wrytynge, wherof nothynge can be [l]undestande without a master or an exposytoure. But the Apostels and prophetes wrote ther bokes so, that theyr specyall entent and purpose myght be [m]understande and perceaved of every reader, which was nothynge but the edificacyon and [n]amendement of the lyfe of them that [o]readeth or heareth it. Who is it, that redynge or hearynge reade in the gospell, Blessed are they that [p]bene meke. Blessed are they that [p]bene merciful. Blessed are they, that [q]be of cleane herte; and suche other lyke places, can perceyve nothynge, excepte he have a master to teache hym what it meaneth? Lykewyse the sygnes and myracles with all other histories of the doynges of Chryste or his Apostells, who is there of so symple wyt and capacytie, but he maye be able to perceave and understande them? These be but excuses and clokes for the rayne, and keverings of theyr owne ydel [r]slouthfulnes: I cannot understand it. What marvaile? Howe shuldest thou understande, yf thou wylt not reade, nor looke upon it? take the bokes into thyne handes, reade the hole story, and that thou understandest not, reade it agayne and agayne: Yf

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[i] [wax: S.]

[k] [maner of: A. J. S.]

[l] [understanded: S.]

[m] [understanded: S. A.]

[n] [or amendment: S.]

[o] [read or hear: S.]

[p] [bee: S.]

[q] [bene: A.]

[r] [slothfulnes. But still ye wil say, I cannot: S.]

thou can nether so come by it, counsaile wyth some other that is better learned. Go to thy curate and Preacher, shewe thy selfe to be desyrous to knowe and learne. And I doubte not but God seying thy dilygence and redynesse, (yf no man elles teache thee) will hymselfe vouchsaffe wyth hys holy spiret to illumynate the, and to open unto the that whiche was locked from the.

Remember the [s]Eunuchus of Candace quene of Ethiopie: whiche albeit he was a man of a wylde and barbarous countrie, and one occupyed with worldly [t]cures and busynesses, yet rydyng in his charet, hee was readyng the scripture. Nowe consyder, yf this man passyng in his journey was so dylygent as to reade the scripture, what thynkest thou of lyke was he wonte to do syttynge at home? Agayne [u]he that letteth not to reade, albeit he dyd not understande, what did he then trowest thou: after that, when hee had learned and gotten understandyng? For that thou mayest well knowe that he understode not what he reade: herken what Philyp [x]there sayeth unto hym. Understandest thou what thou readest? And hee nothyng ashamed to confesse hys ignoraunce, [y]answereth, How shuld I understande, havyng no body to shewe me the waye? Lo! when he lacked one to shewe hym the waye, and to expounde to hym the scriptures, yet dyd he reade: and therfore God the rather provyded for hym a guyde of the waye that taughte hym to understande it. God perceyved hys willinge and towarde mynde: and therfore hee sent hym a teacher by and by. Therfore let no man be neglygent about hys owne health and sal-
245 vacyon: thoughe thou have not Phylyppe alwayes when thou woldest, the holy ghost, whiche then moved and styred up Philyp, wylbe ready and not faile the, yf thou do thy dilygence accordyngly: all these thynges [z]ben wrytten [a]unto us, [b]for our edifycacyon and amendment, whiche ben borne towardes the latter ende of the worlde. The reading [c]of scriptures is a greate and stronge bulwarke or foretresse agaynst synne: the

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[s] [Eunuch: S.]

[t] [cares and business: S.]

[u] [he letteth: A. J. S.]

[x] [saith there: S.]

[y] [answered: S.]

[z] [bene: A. J. bee: S.]

[a] [for: A. J. S.]

[b] [to oure: A. J.]

[c] [of the scriptures: S.]

ignoraunce of the same is [d] the greater ruyne and destruccyon of them that wyll not know it. That is the thyng that bryngeth in [e] heresye: that is it, that causeth all corrupte and perverse Livynge: that is it, that bryngeth all thynges out of good order.

Hytherto al that I have sayde, I have taken and gathered out of the foresayde sermon of this holy doctoure saynte John Chrisostome. Nowe yf I shulde in lyke maner bringe-fourth, what the selfe same Doctoure speaketh in other places, and what other doctours and wryters saye, concernynge the same purpose, I might seem to you to wryte another Byble, rather then to make a preface to the Byble. Wherefore in fewe words to comprehende the largenesse and utilytie of the scripture, howe it conteyneth fruteful instruccyon and erudicyon for every man, if any [f] thynge be necessarye to be learned of the holy scripture we maye learne it. Yf [g] falsheed shall be reproved, thereof wee may gather wherwithall. Yf any thynge be to be corrected and amended, yf there nede any exhortacyon or consolacyon, of the scrypture we maye well learne. In the scryptures be the fatte pastures of the soule: therein is no venymouse meate, no unholsome thyng, they be the very daintye and pure fedynge. He that is ignoraunt, shal fynde there what he shoulde learne. He that is a perverse synner, shal there fynde his damnacyon to make hym to tremble for feare. He that laboureth to serve God shall fynde there his glorye, and the promissyons of eternal lyfe, exhortyng hym more dilygently to laboure. Herein may Princes learne how to governe theyr subjectes. Subjects obedience, love, and dredde to theyr Prynces. Husbandes howe they shulde behave them unto theyr Wyves: how to educate theyr chyldren and servaunts. And contrary the wives, children and servants, maye knowe theyr dutye to theyr husbandes, parentes, and masters. Here maye all maner of persons, men, wemen, yonge, olde, learned, unlearned, rych, poore, prestes, laymen, lords, ladyes, offycers, tenaunts, and meane men, virgyns, wyves, wyddowes, lawers, marchauntes, artifycers, husbandmen, and all maner of persones of what estate or condicyon soever

[d] [a greater: S.]
[e] [heresyes: S.]
[f] [thinges: A.]
[g] [falsehood: S.]

they be, maye in this boke learne all thynges what they ought to beleve, what they ought to do, and what they shulde not do, as well concernynge almyghtye God, as also concernynge themselves and al other. Briefly, to the readynge of the scripture none can be enemye, but that eyther be so sycke, that they love not to heare of any medecyne; or els that be so ignoraunt, that they knowe not scripture to be the moost helthful medecyne. Therefore as touching this former part I wyl here conclude, and take it for conclusion: sufficiently [k]determyne and [l]appoynte, that it is convenient and good, the [m]scrypture to be red of all sortes and kyndes of people, and in the vulgar tonge wythout further allegations [n]or probations for the same, which shal not nede, synse that thys one place of Jhon Chrysostome is ynough, and sufficyent 246 to perswade all them that be not frowardly and perversely sett in theyr owne wilfull opinion, specially nowe that the Kynges highnes beynge supreme heade next under Chryste of this churche of Englande, hath approved wyth hys royal assent the settyng forth hereof, whiche onely to al true and obedient subjectes ought to bee a sufficient reason for the alowance of the same, without farther delaye, or reclamacion or resystaunce, although there were no preface or other reason herein expressed. [o]Therefore nowe to come to the seconde, and latter parte of my purpose, [p]here is nothynge so good in this worlde, but it maye be abused, and turned from [q]frutefull and holsome, to hurtful and noysome. What is there above, better then the sunne, the moone, and the starres? Yet was there that toke occasion, by the great beawty and vertue of them to dishonoure God, and to defyle themselves with ydolatrie, gevyng the honoure of the lyvynge God and creatoure of all thynges, to such thynges as he had created. What is there here beneth better then fyre, water, meates, drinkes, metalles of golde, sylver, yron and stile? Yet we se dayly great harme and muche myschefe done by every one of these, as well for lacke

[h] The conclusion

The Kynges hyghnes hath alowed the scripture as necessarye for us.

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[h] [conclusion of the former part: S.]

[k] [determined: A. S. July.]

[l] [approved: A. J. appoynted: S.]

[m] [scriptures: S.]

[n] [and: S.]

[o] [There is nothing but it may be abused. Margin: J.]

[p] [there: J.]

[q] [unhurtful: S.]

of wysdome and proydence of them that suffer evell, as by the malyce of them that [r]worketh the evyll. Thus to them that be evyll of themselves everye thynge setteth forwarde, and increaseth theyr evyl, be it of hys owne nature a thyng never so good lyke as contraryly, to them that [s]studieth and endeavoureth themselves to goodness, everye thynge prevayleth them, and profyteth unto good; be it of hys owne nature a thynge never so bad. As saynct Paule [t]sayd, *Hiis qui diligunt deum, omnia cooperantur in* [u]*bonum*, even as out of most venymouse wormes is made triacle, the moost soveraygne medecyne for the preservacyon of mans helth in tyme of daunger. Wherfore I wolde advyse you all, that come to the readynge or hearynge of thys booke, whych is the worde of God, the moost preciouse Juel, and moost holy relyque, that remayneth upon earth, that ye brynge wyth you the feare of God, and that ye do it wyth [x]all due reverence, and use your knowlege therof, not to vaine glory of frivolouse disputation: but to the honour of God, encrease of vertue, and edificacyon both of yourselves and other. And to the entente that my wordes may be the more regarded, I wyll use in thys parte the auctoritye of sayncte Gregory Nazianzene, lyke as in the other I did of S. Jhon Chrisostome. [y]S. Gregory Nazianzene. It appeareth that in hys tyme there were some (as I feare me, there bene also nowe at these dayes a greate nombre) whiche were ydel bablers, and talkers of the scrypture out of ceason, al good order, and wythout any increase of vertue, or example of good lyvynge: to them he wryteth al hys fyrst booke, *de theologia.** Wherfore I shall brefely gather the whole effecte, and recyte it here unto you. There ben some (sayeth he) whose not onely eares and tonges, but also theyr fystes ben whetted and ready bent all to contention and unprofitable disputation, whom I wolde wyssh as they ben vehement and ernest to reason the matter with tonge; so they were [z]also redy and practyve to do good dedes. But forasmoche as they, subvertynge the order of al godlynesse, have respecte only to thys thynge, howe they

* [tom. i. p. 529 et seqq. Ed. Col. 1690.]

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[r] [work: S.]

[s] [study and endeavour: S.]

[t] [sayth: A. S.]

[u] [*bonum. All things do bring good success to such as do love God.* Even: S.]

[x] [all reverence: S.]

[y] [Marg. ref. omitted by: S.]

[z] [al: S.]

maye bynde and lose subtile questions, so that nowe, every marketplace, every alehouse, and taverne every feasthouse: brefly, everye companye of men, everye assemblye of women is
247 fylled with suche talke. Sens the matter is so (sayth he) and that our fayth and holy relygyon of Chryst begynneth to waxe nothynge els, but as it were a sophestrye, or a talkynge crafte, I can no lesse do but saye somethynge therunto. It is not fytte (saith he) for every man to dispute the hygh questions of divinitye, nether is it to be done at al tymes: nether in every audience must we discusse every doubte: but we must knowe whan, to whom, and howe farre we ought to enter into suche matters. Firste it is not for every man: but it is for suche as be of exacte and exquisite judgementes, and suche as have spente theyr time before in study and contemplatyon and suche as before have clensed themselves aswell in soule as bodye: or at the leaste endeavored themselfes to be made cleane. For it is daungerous (sayeth he) for the uncleane to touche [a]that thynge that is mooste cleane: lyke as the sore eye taketh harme by lokyng upon the sunne. Secondarelye, not all tymes, but whan we be reposed, and at reste from all outwarde dregges and trouble; and when that our headdes [b]ben not encombred with other worldely and wanderynge ymaginations: as yf a man shuld myngle balme and dyrte together. For he that shal judge and determyne suche matters and doubtes of scriptures, must take hys tyme, when he maye applye his wyttes thereunto, that hee maye therby the better see and dyscerne, what is trueth.

Thirdly, where and in what audience. There, and amonge those [c]that bene studyous to learne: and not amonge such as have pleasure to tryfle, with such matters, as wyth other thynges of pastyme, which repute for theyr chefe delicates, the disputacion of hygh questions, to shew their wyttes, lernynge and eloquence in reasonyng of hygh matters. Fourthly, It is to be consydred how farre to wade in such matters of difficultie. No further (sayth hee) but as every mans owne capacitye wyl serve hym: and agayne no further, then

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[a] [that which is most: S.]

[b] [be: A. J. S.]

[c] [that have been: S.]

the wekenesse or intelligence of the other audience may beare. For lyke as to great noyse hurteth the eare, too much meate hurteth [d]the mannes body, heavy burthens hurte the bearers of them, to much rayne doth more hurte then good to the ground: brefly, in all thynges, to much is noyous: even so weake wittes and weake consciences may sone be oppressed with over hard questions. I saye not this to dissuade men from the knowledge of God, and readynge or studying of the scripture. For I saye; that it is as necessary for thy lyfe of mans soule, as for the body to breath. And yf it were possible so to lyve, I wold thynk it good for a man to spend al his lyfe in that, and to do none other thynge. I commende the lawe, which byddeth to medytate and study the scryptures [e]alwayes, both night and daye: and sermons and preachinges to be made, both mornyng, noone, and eventyde. And God to be lauded and blessed in al tymes, to bedwarde, from bed, in our journeyes and all our other workes: I forbyd not to reade, but I forbyd to reason. Neyther forbyd I to reason so farre as is good and godlye. But I alowe not that is done out of season, and out of measure and good ordre. A man may eate to much of honeye, be it never so swete, and there is tyme for every thynge, and that thyng that is good is not good, yf it be ungodly done. Even as a floure in winter is out of season, and as a womans apparel becometh not a man: neyther contraryly, the mans the woman, neyther is wepynge convenient at a brydale, neyther laughynge [f]at a buryall. Nowe yf we can 248
observe and kepe that is comely and tymely, in all other thynges, shall [g]not we then the rather do the same in the holy scryptures? Let us not runne forthe as it were wylde [h]horsses, that can suffre neyther brydle in their mouthes, nor sytter on theyr backes. Let us kepe us in our boundes, and neyther let us go to farre on thone syde, lest we retorne into Egypte, neyther to farre over the other, lest [i]ye be caryed awaye to Babylon. Let us not synge the songe of our Lorde in a straunge lande, that is to say, let us not dispute the worde of

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[d] [a mans body, too heavy burthens hurteth: A. the mannes body, hevye burdens hurteth: J.]

[e] [alway: S.]

[f] [at beryall: A.]

[g] [we not: S.]

[h] [wyld horse: A.]

[i] [we: J. A. S.]

God at all adventures, aswell where it is not to be reasoned, as where it is: and aswell in the eares of them that be not fyt therefore, as of them that be. Yf we can in no wise forbeare, but that we must nedes dispute, let us forbeare thus much at the leest, to do it out of time and place convenient. And let us entreate of those thynges, which be holy, holyly: and upon those thynges that be mystical, mystically: and not to uttre the devyne mysteryes in the eares unworthy to heare them, but let us know what is comely, as well in our sylence and talking, as in our garmentes wearynge, in our feding, in our gesture, in our goinges[g], in[h] all our other behavyng. This contention and debate about [i]scriptures and doubtes thereof (specyally when such as do pretende to be the favourers and studentes therof, cannot agre wythin themselves) doth moost hurte to oure selves, and to the fortherynge of the cause and quarrelles that we wolde[k] have forthered above al other thynges. And wee in this (sayth he) be not unlyke to them that beyng mad, set theyr owne houses on fyre, and that slaye theyr owne children, or beat their owne parentes. I marvayle much (sayth he) to recount wherof cometh all this desyre of vayne glory, wherof commeth al thys tongeitch, that we have so much delyte to talke and clatter. And wherein is our communication? Not in the [l]comendations of vertuous and good dedes of [m]hospilitie, of love betwene Christian brother and brother, of love between man and wyfe, of virgynitie and chastytye, and of almesse towardes the poore. Not in Psames and godly songes, not in lamentyng for our synnes, not [n]in repressyng the affections of the body, not in prayers to God. We talke of scripture, but in the meane tyme we subdue not our flesh by fastynge, [o]walking, and wepyng, we make not this lyfe a meditation of death, we do not stryve to be lords [p]over our appetites and affections. We go not about to [q]pul downe our proude and hygh myndes, to abate our fumishe and rancorous stomackes, to restrayne our lustes and bodely delectations, our undiscrete sorowes, our

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[g] [going: S.]
[h] [and all: J.]
[i] [scripture: S.]
[k] [would not have: S.]
[l] [commendation: S.]
[m] [hospitalytye: A. J. S.]
[n] [in the repressing: S.]
[o] [watching: S.]
[p] [of: A. J.]
[q] [put: S.]

lascivyous myrth, our inordynate lokynge, our insaciable hearyng of vanities, our speakyng without measure, our inconvenient thoughtes, and brefely to refourme our lyfe and maners: but al our holynesse [r]consysteth in talkynge. And we pardon eche other from al good lyvyng, so that wee may styck fast togyther in argumentation, as though ther were no mo wayes to heven but thys alone, the waye of speculation and knowledge (as they take it,) but in verye dede, it is rather the waye of superfluous contention and sophistication. Hytherto have I recyted the mynde of Gregorye Nazianzene: in that booke which I spake of before. The same Author sayth also in another *place, that the learnynge of a Christen man ought to begyn of the feare of God to ende in matters of hye speculation: and not contrarylye to begynne wyth speculacyon, and to ende in feare. For 249
speculation (sayeth he) [s]other hye conninge [t]and knowledge, if it be not stayed with the brydle of feare to offende God is dangerous, and ynough to tumble a man headlynge downe the hyll. Therefore sayeth hee: the feare of God must be the fyrst begynnynge, and as it were an A. B. C. or an introduction to all them, that shall entre into the verye true and moost frutefull knowledge of holy scriptures. Where as is the feare of God, there is, (sayeth he,) the kepyng of the [u]Comaundementes: and whereas is the kepyng of the commaundements there is the clensynge of the fleshe: which fleshe is a cloude before the soules eye, and suffereth it nat purely to se the beame of the heavenly lyght. Where as is the clensynge of the fleshe, there is the illuminacion of the holy goost, the ende of all our desyres, and the very lyght wherby the veritie of scryptures is sene and perceyved. This is the mind and almoost the wordes of Gregorie Nazianzene, doctoure of the Greke church, of whom Saynct Jerome sayth †that unto his time the Latyn church had no wryter hable to be compared, and to make an even match with him. [y]Therfore to conclude this latter part, every man, that commeth to the readynge of this holy booke, ought to bryng with hym fyrst and formost this feare of almighty God,

* [Oratio 39, in sancta lumina: Ed. Col. 1690. tom. ii. p. 628.]

† [In Epist. ad Ephes. c. vi. Ed. Bened. tom. iv. p. 393.]

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[r] [consists: S.]

[s] [either: S.]

[t] [or: S.]

[u] [commandments; there is the cleansing: S.]

[x] [of heavenly: S.]

[y] [Marg. note:—The conclusion of the latter part: S.]

and then next, a fyrme [z]and a stable purpose to refourme his owne selfe accordyng therunto, and so to continue, proceed and prospere from tyme to tyme, shewynge himselfe to be a sobre and frutefull hearer and learner: which yf he do, he shall prove at[a] the length well hable to teache, though not with his mouth, yet with his lyvynge and good example, whych is sure the moost lyvelye and [b]effecteous fourme and maner of teachynge. He that otherwyse intermedleth with this boke, let hym be assured, that ones he shal make accompt therfore when he shall have sayd to Hym, as it is wrytten in the prophete David. *Peccatori dicit Deus*, &c. [c]Vnto the ungodlye sayde God; why doest thou preache my lawes, and takest my testament in thy mouth? Whereas thou hatest to bee refourmed, and hast ben [d]partaker with [e]advouterers. Thou hast let thy mouth speake wykednesse, and wyth thy tonge thou hast set forth disceyte. Thou sattest and spakest agaynst thy brother, and hast sclaundered thine owne Mothers sonne. These thynges hast thou done, and I helde my tonge, and thou thoughtest (wykedlye) that I am even suche a one as [f]thy selfe. But I wyl [g]prove the, and set before the the thynges that thou hast done. O consydre this ye that forget God, lest I plucke you awaye, and ther be none to delyver you. Whoso offreth me thankes and prayse, he honoureth me: and to hym that ordreth his conversacion ryght: wyll I shewe the salvacion of God.

[h]God save the Kynge.

[i]H. R.

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[z] [and stable: A. S.]
[a] [at length: S.]
[b] [affectuous: S.]
[c] [marg. ref.:—Psal. 50: S.]
[d] [partakers: S.]
[e] [adulterers: S.]
[f] [thee self: S.]
[g] [reprove: A. J. S.]
[h] [Praise be to God: S.]
[i] [omitted: S.]

NUMBER CV.[k]

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[See p. 397 of this volume.]

BUCER AND OTHERS LEARNED STRANGERS FROM LAMBETH TO CECYL, TO PREFER THE PETITION OF SOME POOR FRENCH PROTESTANTS TO THE PROTECTOR.

Clarissimo Viro, Domino Sicilio, illustrissimi Principis Protectoris Angliæ, à Secretis, Domino et amico summopere Colendo, et Clarissimo.

GRATIAM et benedictionem Domini nostri Jesu Christi, augeri tibi precamur, Vir ornatissime et religiosissime. Cum summa fide et studio ministrare oporteat Christo Domino nostro afflicto in membris suis, et nostris, non debuimus officium nostrum negare ijs captivis Domini, quorum caussam exponent hi Ecclesiæ Gallicanæ Ministri, Collegæ nostri, et his ipsis fratribus et collegis nostris, ut utrosque tuæ charitati commendaremus, id T. D. a nobis boni consulet. Veniunt vero ad te hi Collegæ nostri, jussu Reverendissimi Domini, ac Patroni nostri, Archiepiscopi Cantuariensis rogatum, ut Captivorum illorum Supplicationem velis offerre Illustrissimo Principi, D. Protectori, adjuncta tua commendatione; fidemque faciunt, eos, quorum offerunt Supplicationem, nulla alia, quam Religionis caussa, patriam suam deserere coactos, in hoc regnum venisse, tanquam ad Christi asylum. Quod cum ita habere propter testium sanctitatem, nihil dubitemus, D. T. quantum licet oramus, ut caussam horum Captivorum Christi apud Illustriss. Principem, D. Protectorem, diligenter agas, et nostras quoque illius Celsitudini supplices preces, ad eam caussam offerre non graveris. Quod Christus Dominus tibi cumulatè rependet. Cui Illustrissimum Principem D. Protectorem, teque et tuos omnes etiam atque etiam commendamus. Lambethi XIII Augusti, Anno MDXLIX.

Sir W. H[ickes's] MSS.

Tui in Domino

Martinus Bucerus. Petrus Alexander.
Pet. Martyr. Paulus Fagius.

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[k] [The editor has not been able to discover the original of this or of Nos. cvi. cvii. cviii. and cix. They have probably been lost among other missing papers of Sir W. Hickes.]

These Letters following, though they have no particular reference, yet being made use of in the former Memorials, I have thought fit to publish them with the rest.

NUMBER CVI.

[See p. 397 of this volume.]

THE ARCHBISHOP TO THE SECRETARY, CONCERNING A FRENCH MAN, THAT DESIRED A PATENT TO TRANSLATE THE COMMON PRAYER INTO FRENCH, AND PRINT IT.

To my veray lovinge freunde Sir William Cecill, Knight, one of the Kings Majesties principal Secretaries.

Sir W. H[ickes's] MSS. [Jenk. Cranm. i. 354. Works of abp. Cranm. Park. Soc. ed. i. 438.]

AFTER my verai hartie commendations. I thancke youe for your newes, but speciallie for that ye advertise me, that the Kinges Majestie is in good health, wherin I beseche God long to continue his highnes, as he hath twise (as I trust) restored me to the same.

251 It seamithe by your letters, that a peace should be concluded betwixt themperor and Duke Morrise, which whither it bee accordinge to tharticles, that afore ye sent unto me, or otherwise, I would gladlie understande. The commoditie that might arrise by printinge the boke of Common praier, and administration of Sacraments in the French tongue, (if any bee) I reckon it were meete that it shoulde come to theim, which have already taken pains in translatinge the same. Which was first done by Sir Hugh Paullets commaundement, and overseen by my L. Chauncellor, and other at his appoinitement: and now altered accordinge to that which must bee put in execution at the feast of All Saints next, at the appoinctment of my L. Chauncellor, by a learned Frenche man, a Doctor in Divinitie. And therfore needless of anny other to bee travailed in. Aug. 26. 1552.

NUMBER CVII.[1]

[See pp. 406, 7. of this volume.]

MENTION OF LETTERS SENT BY HIM TO THE DUKE OF NORTHUMBERLAND, EXCUSING HIS NOT PROCEEDING IN A COMMISSION. HIS REFLEXION UPON THE NEWS.

To my Lovenge frende Sir William Cecil, Knight, and Secretary to the kyngs Majestie.

Sir W. H[ickes's] MSS. [Strype's MS. Ball. Coll. Ox. Jenk. Cranm. i. 356.—Works of abp. Cranm. i. 440.]

AFTER my veray harty recommendations, and no lesse thanks for your frendly letters, and advertisements. Be you assured that I take the same in such parte, and to procede of such a frendly mynde, as I have ever looked for at your hands. Wherof I shal not be unmyndeful, if occasion hereafter, shal serve to requite the same. I have [m] written lettres unto my Lorde of Northumberlande, declarynge unto hym the cause of my staye in the Commission; which is bicause, that al the gentylmen and Justices of the peace of Kent, which be in commission with me, be now at London. Bifore whose comynge home, if I sholde procede without them, I myght perchaunce travel in vayne, and take more payne, than I sholde do good. I have written also unto hym in the favour of Michael Angelo[n]: whose cause I pray you to helpe so moche as lieth in you.

The Sophy and the Turke, themperor and the French kynge (not moch better in religion than they) rollynge the stone, or turnynge the whele of fortune up and downe, I pray God send us peace, and quyetnes with al realmes, as wel as among our selfes; and to preserve the Kyngs majestie with al his councill. Thus fare you wel. From my howse of Forde the xx day of November, Anno 1552.

Your assured.

T. Cant.

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[1] [The foot-notes give the variations in the Copy in Strype's MS. Ball. Coll. Ox. See Addenda, No. 1.]

[m] [wrote]

[n] [Angelo: (minister of the Italian congregation in London:) whose]

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NUMBER CVIII.

[See p. 406 of this volume, and Strype's Observ. Addenda No. 1.]

SIGNIFYING HIS DESIRE TO HAVE THE GOOD WILL OF THE LORD WARDEN, HIS NEIGHBOUR.

To my lovyng frende Sir William Cecill Knyght, Secretary to the Kings Majestie. Yeve thies,

Sir W. H[ickes's] MSS. [Strype's MS. Ball. Coll. Ox. Jenk. Cranm. i. 358.—Works of abp. Cranm. Park. Soc. ed. i. 441.]

AFTER my harty commendations and thanks for your letters; ther is no man more loth to be in contention with any man, than I am, specially with my Lorde Warden, my nere neighbour, dwellynge both in one contray, and whose familier and entier frendeshippe I most desier, for the quyetnes of the hole contray. For the example of the rulers and heades wil the people and membres [p] followe. And as towchynge learned men, I shal sende you my mynde with as moch expedition as I can, which by this poste I can not do, evyn in [q] the colde snowe sittynge opon coles untyl he be gone. But hartely fare you wel in the Lorde Jesus. From Forde, the last day of November.

Your Lovynge frende T. Cant.

NUMBER CIX.

[See pp. 18 and 394 of this volume, and Strype's Observ. Addenda No. 1.]

DESIRING CECYL TO INFORM HIM OF THE CAUSE OF CHEKES INDICTMENT.

To my very Lovynge frende Sir William Cecyl Knight.

Sir W. H[ickes's] MSS. [Jenk. Cranm. i. 359.—Works of abp. Cranm. Park. Soc. ed. i. 442.]

AFTER my very harty recommendations; Yester nyght I harde reported, that Mr. Cheke is indited: I pray you hartely, if you know any thynge therof, to sende me knowledge, and wheruppon he is indited. I had grete trust, that he sholde be one of them, that sholde fele the Queens grete mercie and pardon, as one who hath been none of the grete doers in this matier agaynst her: and my trust is not yet gone, excepte it be for his earnestnes in religion. For the which if he suffre, blessed is he of God, that suffreth for his sake, howsoever the worlde juge of hym. For what ought we to care for the jugement of the worlde, whan God absolveth us? But alas, if any means cowde be made for hym, or for my Lorde Russel, it were not to be omitted, nor in any wise neglected. But I am utterly destitute both of counseil in this matter, and of power, being in the same condemnation that they be. But that onely thynge which I can do, I shal not ceasse to do, and that is only to pray for theym, and for my selfe, with al other, that be now in adversity. Whan I saw you at the courte, I wolde fayne have talked with you, but I durst not: nevertheless if yow cowde fynde a tyme to come over to me, I wolde gladly commen with you. Thus fare you hartely well, with my Lady your wife. From Lamhith this 14 day of this month of August.

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[p] [follow. As: Ball. Coll. MS.]

[q] [this cold: Ball. Coll. MS.]

Your own assured T. Cant.

NUMBER CX.

A LIST OF ARCHBISHOP CRANMER'S WRITINGS, SPEECHES, AND OFFICIAL DOCUMENTS.

[See p. 265 of this valume. It has been thought advisable to insert the following chronological list as an article in the Appendix, instead of encumbering the text with a long note. It is compiled from the lists of Bale, (Scriptorum illustrium majoris Britanniæ catalogus; Basil, 1559,) of Tanner, (Bibliotheca Brit. Hib.) and of Todd (Life of Cranmer, vol. ii. 519): all of which are inserted in Dr. Jenkyns's edition of Cranmer's Remains. These names are given in Italics. Then follow notices of the originals or MS. copies of each document, and then of the publications in which they occur, as far as the Editor is aware.]

1531—1555. Letters.—*Bale* mentions

" Epistolas ad viros eruditos, lib. i." but Dr. Wharton (as quoted by Dr. Jenkyns) considers this a mistake; as no collection of Cranmer's letters was made in his time.

Tanner mentions

"Epistolas varias," and specifies a few. The originals, or MS. copies, are scattered through the following repositories: the Lansdowne, Cotton, and Harleian libraries in the British Museum: the Registers at Lambeth, Canterbury, &c.: the Chapter House, Westminster: the State Paper Office: the Bodleian and Ball. Coll. Libraries at Oxford: the Libraries of Corpus Christi and Emmanuel, Cambridge: the Archives of Zurich and Strasburgh, &c. Of these some were published in the following works: Foxe's Acts and Monuments;—Certain Letters to Queen Mary, 1558;—Calvini Opera;—Buceri Scripta Anglica;—Dudithii Orat. et Epist.;—Columesii Epist. Clar. Viror.;—Gabbema illust. et clar. viror. epist. 1669;—Letters of the Martyrs;—Lord Herbert's Life of Henry 8;—Cranmer's Catechism;—Brief examination of a certain declaration &c. 1564;—Wilkins's Concilia;—Lord Somers's Tracts;—Collier's Eccl. Hist.;—Burnet's Hist. of the Reform.;—Strype's Cranmer;—Strype's Parker;—Strype's Annals of the Reform.;—the Archæologia;—Ellis's Original Letters;—the State Papers;—Todd's Life of Cranmer;—Theological Tracts;—Weaver's Funeral Monuments;—Le Bas' Life of Cranmer, &c. It was reserved however for Dr. Jenkyns, in his admirable edition of Abp. Cranmer's remains, to collect, for the first time, in a regular chronological series, the greater part of the accessible letters, whether published or unpublished. These amount to 301 in number, and form the greater part of his first volume. These letters are also published in the second vol. of the Parker Society's edition of Abp. Cranmer's Works. They follow very nearly the same order as Dr. Jenkyns's collection; with the addition of about 20 hitherto unpublished.

1533. Abp. Cranmer's Oaths and Protestations at his Consecration.—*Tanner;* who inserts it twice.

In the MS. Proc. contra Cranm. Lambeth Libr. Published in Wilkins's Concilia, iii. 757;—Proc. contra Cranm.: Addenda, No. ii. to Oxford ed. of Strype's Cranmer, 1812; and forming Append. ix. No. 88* to this edition, and Append. No. 45. to Cranm. Works, Park. Soc. ed.; Jenk. Cranm. Append. No. 1;—Strype's Cranmer, Nos. v. vi. vii.—Cranm. Works, Park. Soc. ed. Append. No. 1.

1534. Substance of a Speech on the Authority of the Pope and general Councils.—*Todd.*

Original not extant. Published in Burnet Ref. i. 353. ed. Ox. 1829;—Jenk. Cranm. ii. 11;—Cranm. Works, Park. Soc. ed. ii. 76.

1535. Mandate for inhibiting visitations.

Orig. in Regist. Exon. Published in Wilkins's Concil. iii. 797.—

Jenk. Cranm. Append. No. 4.—Cranm. Works, Park. Soc. Ed. Append. No. 3.

Circa 1536. Against the Pope's Supremacy, 2 books.—*Bale.*—*Tanner.*

Not extant.

1536. Speech in Convocation.—*Todd.*

Published in Foxe's Acts &c. p. 1182. ed. 1583;—Burnet Ref. i. 429. ed. 1829 (in an abridged form);—Jenk. Cranm. ii. 16;—Cranm. Works, Park. Soc. Ed. ii. 79.

1537. Mandate for celebrating the festival of St. Mark.—*Tanner.*

Ex excerpt. act. Convoc. Heylin. Published in Wilkins's Concil. iii. 826;—Jenk. Cranm. Append. No. 4;—Cranm. Works, Park. Soc. Ed. Append. No. 8.

1537. Mandate against observing abrogated festivals.—*Tanner.*

Ex excerpt. act. Convoc. Heylin. Published in Wilkins's Concilia, iii. 827;—Jenk. Cranm. Append. x;—vol. i. of this work, p. 122 note; Cranm. Works, Park. Soc. Ed. Append. No. 10.

1537. Queries and Answers concerning Confirmation.—*Todd.*

Cotton MSS. Published in Burnet Ref. vol. i. Add. No. 3;—Strype's Eccl. Mem. i. Append. No. 88;—Jenk. Cranm. ii. 18;—Append. to this work, No. 28*;—Cranm. Works, Park. Soc. Ed. ii. 80.

1537. Fifteen Questions tending to reformation.—*Todd.*

Cotton MSS. Published in Burnet Ref. vol. i. Add. No. 2;—Jenk. Cranm. Append. No. 6;—Cranm. Works, Park. Soc. Ed. Append. No. 5.

Strype and Dr. Jenkyns agree in opinion that this paper is not Cranmer's.

1537. Reasons offered to the king for suspending his determination against the marriage of priests.—*Todd;* who entitles it, "Considerations submitted to K. Henry in order to a further reformation."

Cotton MSS. Published by Burnet Ref. vol. i. Add. No. 4;—Collier, Eccl. Hist. ii. 167;—Jenk. Cranm. Append. No. 7;—Cranm. Works, Park. Soc. Ed. Append. No. 6. The same remark applies to this as to the former article; but Collier and Todd agree with Bp. Burnet in ascribing it to Cranmer.

1537. Letter to King Henry VIII. for a suffragan of Dover; and Cranmer's letters of commission to said suffragan. *Tanner.*

Registr. Cranm. Published in Strype's Cranmer, Append. Nos. 21, 22;—Wilkins's Concil. iii. 828; Jenk. Cranm. Append. No. 11;—Cranm. Works, Park. Soc. Ed. Append. Nos. 11, 12.

1538. Injunctions at the visitation of the diocese of Hereford. *Tanner.—Todd.*

Published in Burnet. Ref. vol. i. Append. b. 3. No. 12;—Jenk. Cranm. ii. 19;—Cranm. Works, Park. Soc. Ed. ii. 81.

1538. Annotations upon the King's Book.—*Tanner.—Todd.*

From C.C.C.C. MS. Published in Strype's Cranmer, Append. No. 31.—Fathers of the English Church, iii. 77;—Jenk. Cranm. ii. 65;—Cranm. Works, Park. Soc. Ed. ii. 83.

1538. A Book containing divers articles, &c. (thirteen in number.) *Todd;* who entitles them, Articles intended to be the doctrine of the Church of England, 1540

State Paper Office. Published in Jenk. Cranm. Append. No. 13;—Cranm. Works, Park. Soc. Ed. Append. No. 13.

These, Dr. Jenkyns observes, were probably agreed upon in the conference between the English and German divines in 1538; and were manifestly founded on the confession of Augsburgh.

1538. Articuli de Missa privata, de veneratione sanctorum, et de imaginibus.

State Paper Office; and in part collections of Law in Lambeth Library. Published in Jenk. Cranm. Append. No. 14;—Cranm. Works, Park. Soc. Ed. Append. No. 14.

Dr. Jenkyns considers these as drafts for some of the articles on which the English divines, assembled in 1538, could not agree.

1538. De ordine et ministerio sacerdotum et episcoporum.

State Paper Office. Published in Jenk. Cranm. Append. No. 15. Cranm. Works, Park. Soc. Ed. Append. No. 15.

See the former article. The greater part of the contents is in the Institution of a Christian man.

1540. Seventeen Questions concerning the Sacraments, &c. *Todd.*

MSS. Lambeth. Cotton MSS. Published in Burnet. Ref. vol. i. Append. b. iii. No. 21, with the answers; and in Append. to vol. iii. part 3. No. 69, without the answers;—Collier's Eccl. Hist. ii. Append. No. 49;—Jenk. Cranm. ii. 98;—Append. No. 26* of this work;—Cranm. Works, Park. Soc. Ed. ii. 115.

1540. Prologue or Preface to the Bible.—*Bale;* who says, "bibliorum translationes Anglicas pluribus in locis emendavit, prefationemque addidit."—*Tanner.—Todd.*

First printed in Cranmer's Bible, 1540, and in several subsequent editions;—Strype's Cranmer, Append. No. 104;—Fathers of the English Church, iii. 54; — Jenk. Cranm. ii. 104; — Cranm. Works, Park. Soc. Ed. ii. 118.

1541. Breve Regis et Mandatum Archiepiscopi de nominibus beneficiatorum et beneficiorum.—*Tanner.*

Regist. Cranm. Published in Wilkins's Concil. iii. 857;—Jenk. Cranm. Append. No. 16; — Cranm. Works, Park. Soc. Ed. Append. No. 16.

1541. The King's Letter and the Mandate of the Abp. of Cant. for taking away shrines and images.

Regist. Cranm. Published in Wilkins' Concil. iii. 857;—Jenk. Cranm. Append. No. 17;—Cranm. Works, Park. Soc. Ed. Append. No. 17.

1541. Constitutio Thomæ Cranmeri, Archiepiscopi, et aliorum fratrum suorum de apparatu escarum moderando.—*Tanner.*

MSS. C.C.C.C. Published in Hearnes' Append. ad Lelandi Collect. 38;—Strype's Parker, Append. No. 33;—Wilkins's Concil. iii. 862;—Jenk. Cranm. Append. No. 18;—Cranm. Works, Park. Soc. Ed. Append. No. 18.

1541. Statutum de Numero Procuratorum Curiæ Cantuar.—*Tanner.*

MS. Sancroft. Published in Wilkins's Concil. iii. 858;—Jenk. Cranm. Append. No. 19;—Append. No. 17* of this work;—Cranm. Works, Park. Soc. Ed. Append. No. 19.

1543. Literæ Regis et Archiep. Cantuar. Mandatum Episcopo London. pro Orationibus pro cessatione pluviæ.—*Tanner.*

Regist. Cranm. Published in Wilkins's Concil. iii. 868;—Jenk. Cranm. Append. No. 21;—Vol. i. of this work, i. 280, note;—Cranm. Works, Park. Soc. Ed. Append. No. 20.

1544. Collections of Tenets extracted from the Canon Law.—*Todd.*

MSS. Lambeth. MSS. C.C.C.C. Published in Burnet Ref. Append. vol. i. b. 3. No. 27;—Jenk. Cranm. i. 1;—Cranm. Works, Park. Soc. Ed. ii. 68;—The Addenda to this work, No. 3, following the Collections from the Canon Law.

1544. Collections from the Canon Law.

MSS. Lambeth. Published for the first time in the Addenda to this work, No. 3.

1544. Mandate by the Abp. of Cant. to the Bp. of London for prayers of procession in English.

Regist. Cranm. Published in Wilkins' Concil. iii. 869;—Jenk. Cranm. Append. No. 22;—Vol. i. of this work, i. 283, note;—Cranm. Works, Park. Soc. Ed. Append. No. 21.

1545. Mandate by the Abp. of Cant. to the Bp. of London for keeping processions in English.

Regist. Cranm. Published in Jenk. Cranm. Append. No. 23;—Vol. i. of this work, i. 286, note;—Cranm. Works, Park. Soc. Ed. Append. No. 22.

1545. Preface to King Henry VIII. Primer.

Published in 1545. Wilkins's Concil. iii. 873;—Jenk. Cranm. Append. No. 24;—Cranm. Works, Park. Soc. Ed. Append. No. 23. This was probably written by Cranmer.

1547. Speech at the Coronation of King Edward VI.—*Tanner. Todd.*

The original, now lost, was in the collections of Abp. Usher. Published in Foxes and Firebrands, ed. 1682;—Strype's Cranm. ii. 7 of this ed.;—Jenk. Cranm. ii. 118;—Cranm. Works, Park. Soc. Ed. ii. 126.

1547. Speech in Convocation to the Clergy.—*Todd.*

Not extant.

1547. Homilies of Salvation, Faith, and Good Works.—*Bale;* "Homiliæ Christianæ, lib. i."—*Tanner;* "a book of Christian Homilies; est sc. prima pars homiliarum tempore Edw. 6. edit."—*Todd.*

Published in 1547.—Jenk. Cranm. ii. 138;—Fathers of the English Church, iii. 351;—Cranm. Works, Park. Soc. Ed. ii. 154.

1547. Queries concerning the Mass.—*Tanner.*—*Todd.*

MSS. Lambeth.—MSS. C.C.C.C. Published in Burnet Ref. Append. Vol. ii. b. i. No. 25;—Jenk. Cranm. ii. 178;—Append. to this Work, No. 36*;—Cranm. Works, Park. Soc. Ed. ii. 150.

1547. Mandatum ad amovendas et delendas imagines.

Cranm. Reg. Wilkins's Concil. iv. 22;—Jenk. Cranm. Append. No. 31;—Cranm. Works, Park. Soc. Ed. Append. No. 30.

1548. Articles of Visitation in diocese of Canterbury.—*Tanner.*—*Todd.*

Published by Grafton, 1548;—Sparrow's Collections, p. 23;—Wilkins's Concil. iv. 23;—Jenk. Cranm. ii. 185;—Append. to this Work, No. 39**;—Cranm. Works, Park. Soc. Ed. ii. 154.

1458. Of unwritten Verities. (A short treatise, not to be confounded with the *Confutation of unwritten Verities,* noticed below under 1557.)—*Todd.*

From a MS. in Bp. Moore's Library.—Strype's Eccl. Memor. ii. Append. AA.;—Jenk. Cranm. Append. No. 35;—Cranm. Works, Park. Soc. Ed. Append. No. 34.

Dr. Jenkyns remarks that there is no evidence of this being Cranmer's.

1548. A Catechism of Christian Doctrine.—*Bale.*—*Tanner.*

Published in 1548:—Fathers of the English Church, iii. 113. The Preface to King Edw. VI alone published by Jenkyns, being Letter 271. vol. i. and in Cranm. Works, Park. Soc. Ed. Letter 284.

This Catechism was for the most part taken from a Latin work by Justus Jonas. See Dr. Jenkyns's Preface, p. liv.

1549. Answer to the Devonshire Rebels.—*Tanner.*—*Todd.*

MSS. C.C.C.C. Published in Strype's Cranmer, Append. No. 40;—Todd's Life of Cranmer, ii. 76;—Jenk. Cranm. ii. 202;—Cranm. Works, Park. Soc. Ed. ii. 163.

1549. Notes for a Sermon against Rebellion.—*Tanner.*—*Todd.*

MSS. C.C.C.C. Published in Strype's Cranmer, Append. No. 41;—Jenk. Cranm. ii. 245;—Cranm. Works, Park. Soc. Ed. ii. 188.

1549. (?) A Sermon concerning the time of Rebellion.

MS. C.C.C.C. Published in Jenk. Cranm. ii. 248;—Cranm. Works, Park. Soc. Ed. ii. 190.

Dr. Jenkyns doubts whether this Sermon is by Cranmer.

1549. Preface to the Book of Common Prayer: and (1550) Of Ceremonies.—*Bale;* "Ordinationes Eccl. Reform. lib. i. *Nunquam excogitatum aliquid erat.*"—*Tanner:* "the ordinances or appointments of the reformed Church. Hic liber fuit *The Book of Common Prayer,* cum præfat. *There never was any thing.*"—*Todd.*

Published in 1549 and 1550.—Jenk. Cranm. Append. No. 36:—Cranm. Works, Park. Soc. Ed. No. 35.

According to Dr. Jenkyns, there is no sufficient evidence for attributing these prefaces to Cranmer.

1549. The King's Order, and the Mandate of the Abp. of Cant. for bringing in Popish Rituals.

Regist. Cranmer. Published in Wilkins's Concil. iv. 37:—Burnet Ref. Append. Vol. ii. b. i. No. 47.—Jenk. Cranm. Append. No. 38:—Appendix to this Work, No. 42**:—Cranm. Works, Park. Soc. Ed. Append. No. 37.

1550. Articles of inquiry at the Visitation of the Cathedral Church of Canterbury.

Harl. MS. copy from Bp. Gunning's MS. Published in Jenk. Cranm. ii. 196 :—Cranm. Works, Park. Soc. Ed. ii. 159.

1550. Injunctions to the Dean and Chapter of Canterbury.

MSS. C.C.C.C. Published in Jenk. Cranm. ii. 200 :—Cranm. Works, Park. Soc. Ed. ii. 161.

1550. A Defence of the true and catholic doctrine of the Sacrament of the body and blood of our Saviour Christ : in five parts.—*Bale;* who inserts it several times in his catalogue, as if he were enumerating separate works: viz. 1. "Defensionem Cath. doct. lib. 5. *Pro cura dominici gregis mihi ;*" (these being the first words of the Latin dedication inserted in 1553.)—2. "Doctrinam cœnæ dominicæ lib. i. *Servator noster*" &c. (these being the first words of the preface,) and 3. 4. 5. 6. the titles of the second, third, fourth, and fifth books of the work.—*Tanner :* who inserts the work twice, viz. 1. "A Defence of the Catholic doctrine, lib. v. Pr. pr. "*Our Saviour Christ according to his will.* Lond. 1550. 4to : Embdæ, 1557. 8vo. Latine per Joh. Chekum, cui Archiepiscopus Latinam præfationem addidit ded. regi Ed. 6. *Pro cura dominici gregis,* Lond. 1553."—2. "The doctrine of the Lord's Supper ;" and then he gives the headings of each book, adding "hæc sunt argumenta quinque librorum defens. cath. doctr."—*Todd.*

Published in 1550:—last revised edition in 1580 :—Latin translation by Cheke, with preface by Cranmer, 1553 :—reprinted at Embden, 1557 :—English edition, Jenk. Cranm. ii. 274 :—English edition, Fathers of the English Church, iii. 327 :—Latin edition, 1553 and 1557, Cranm. Works, Park. Soc. Ed. i. ad finem (separate pagination).

1550. Preface to the Ordination Services.—*Bale.*—*Tanner.*

Published in 1550 :—Jenk. Cranm. Append. No. 36 :—Cranm. Works, Park. Soc. Ed. Append. No. 35.

Dr. Jenkyns applies the same remarks to this as to the Preface to the Prayer Book.

1551. Answer unto a crafty and sophistical cavillation devised by Stephen Gardiner, &c.—*Tanner.*—*Todd.*

Published in 1551 ; and again in 1580 :—Extracts from this in Fathers of the English Church, iii. 601 :—at length in Jenk. Cranm. iii. 24 :—and in Cranm. Works, Park. Soc. Ed. i. 1.

The additions to this (printed in Jenk. iii. 555. and in the Park. Soc. Ed. i. 380) are attributed by Foxe to Bp. Ridley.

1551. Answer to the false calumniation of D. Richard Smyth.—*Bale.—Tanner.—Todd.*

Published in 1551: appended to the answer to Gardiner:—again in 1580.—Fathers of the English Church, iii. 521:—Jenk. Cranm. iii. 1:—Park. Soc. Ed. i. 368.

1551. Mandatum pro publicatione Actus Parliamenti contra Rebelles.

Regist. Cranm. Published in Wilkins's Concil. iv. 68;—Jenk. Cranm. Append. No. 41;—Cranm. Works, Park. Soc. Ed. Append. No. 41.

1553. Declaration concerning the slanderous report of some which have reported that he should set up the mass at Canterbury.—*Tanner.—Todd.*

Two MSS. Emman. Coll. Camb.—MS. C.C.C.C. Published frequently; abroad in 1557;—Letters of the Martyrs;—Foxe's Acts, &c.;—Strype's Cranmer, iii. 13, and Append. to this ed. No. 71*;—Jenk. Cranm. iv. 1.—Cranm. Works, Park. Soc. ed. i. 428 and 430;—Latin version in Pollani acta disp. Lond. 1554;—Burnet, Ref. vol. ii. b. ii. Append. No. 8.

1554. Disputations at Oxford.—*Tanner.—Todd.*

Some details of these are among the Harl. MSS, and in the MSS. of C. C. C. C., and of the Public Library, Cambr.

Published in Foxe's Acts, &c. iii. 1428, ed. 1583;—Jenk. Cranm. iv. 4;—Cranm. Works, Park. Soc. Ed. i. 389.

1554. Archbishop Cranmer's Answer to the three Articles given him by the Committee at Oxford.—*Bale.* "Ad veritatis Professores, lib. i."

The original Latin is among the Harl. MSS.—MS. penes Collier, probably the same.—MS. C. C. C. C.—An English Transl. among the Harl. MSS.

The English document forms part of the preceding article in Foxe, &c.—The Latin has been published in Collier's Eccl. Hist. ii. Append. No. 71;—in Jenk. Cranm. iv. 14. note;—and in Cranm. Works, Park. Soc. Ed. i. 396. note.

1555. Examination before Brokes. *Todd.* "Speech before the Papal Commissioners."

Published in Foxe's Acts, &c. 1872. ed. 1583;—Jenk. Cranm. iv. 79;—Cranm. Works, Park. Soc. Ed. ii. 212.

1556. Appeal from the Pope to a General Council.—*Todd.*

Published in Foxe's Acts, &c. p. 1881. ed. 1583;—Jenk. Cranm. iv. 121;—Cranm. Works, Park. Soc. Ed. ii. 224.

1556. Prayer, Exhortation and Confession of Dr. Cranmer before his death.—*Todd.*

Two MSS. Harl. Collection. Published in Foxe's Acts, &c. p. 1885. ed. 1583;—Jenk. Cranm. iv. 135;—Cranm. Works, Park. Soc. Ed. i. xxvii.

1556. All the Submissions and Recantations of Thomas Cranmer, late Abp. of Cant. &c.—*Tanner.*

Published by Cawood, 1556;—Jenk. Cranm. Append. No. 44;—Cranm. Works, Park. Soc. Ed. Append. 43.

1557. Confutation of unwritten verities.—*Bale.*—*Tanner.*

Published by an exile, E. P. in 1557;—again in 1582;—Jenk. Cranm. iv. 143;—Cranm. Works, Park. Soc. Ed. ii. 1. See vol. ii. p. 48–50, note, of this edition.

1571. Ecclesiastical laws in the time of King Edward: i. e. the the Reformatio Legum.—*Bale.*—*Tanner.*—*Todd.*

First printed by Day, with a preface by Foxe, 1571;—again in 1640. See Jenkyns, Pref. p. cviii.

The following are of uncertain date.

—— Notes on Justification.

MSS. Lambeth. Published for the first time in Jenk. Cranm. ii. 121;—Cranm. Works, Park. Soc. Ed. ii. 203.

—— Concerning the unlawfulness of marrying the brother's wife.—*Bale.*—*Tanner.*

The work is not extant; but there are articles among the Cotton MSS. upon the necessity of Hen. VIII.'s divorce; these are published in Burnet Ref. Append. vol. ii. No. 36: which however Dr. Jenkyns thinks Strype is mistaken in attributing to Cranmer. See his Pref. p. viii.

—— A Book concerning the Eucharist, with Luther.—*Bale.*—*Tanner.*

Not extant.

—— Contra Gardineri Concionem, lib. i.—*Bale.*

Not extant.

—— Adversus Papæ Purgatorium, lib. ii.—*Bale.*—*Tanner.*

Not extant.

—— De Justificatione, lib. ii.—*Bale.*—*Tanner:* who considers this to be the treatises at the end of "the Institution of a Christian man."

—— Pious Prayers, lib. i.—*Bale.*—*Tanner.*—*Todd:* "Forte orarium, sive libellus precationum, a rege et clero editus 1545."

—— Against the sacrifice of the Mass, lib. i.—*Bale:* "Scripsit in carcere:"—*Tanner* says also it was written in prison, and seems to be the first part of the answer to Gardiner, when he wrote under the name of Constantius.

—— Contra Adorationem Panis.—*Bale.*

Probably part of the same treatise. (Ed.)

—— Ad Reginam Mariam, lib. i. et aliæ quædam.—*Bale.*

Probably "The copy of certain letters sent to the Queen, and also to Dr. Martin and Dr. Story, 1558; some of which are to be found in the Letters of the Martyrs, Foxe, &c." (Ed.)

—— Discourses on the consolation of a Christian against the fear of death, &c.—*Tanner.*—*Todd.*

MSS. C.C.C.C. Published in Strype's Cranm. Append. No. 32; —Jenk. Cranm. Append. No. 20.

Dr. Jenkyns remarks, that these are mere translations, not even, as Strype erroneously states, in Cranmer's handwriting.

—— Twelve books of common places taken from the doctors. —*Bale.*—*Tanner.*

Royal MSS. Brit. Mus. See Jenk. Pref. pp. ii. lxxiii. and iv. 147.

—— Reasons against the Six Articles.—*Todd.*

Not extant. See Jenk. Pref. p. xxvi.

—— Confutation of 88 articles, devised and proposed by a convocation in Hen. VIII.'s reign.—*Todd.*

Not extant.

WHARTON'S OBSERVATIONS

ON THE FOREGOING MEMORIALS.

[VOL. III.]

[a]Page 307. l. 10. [p. 18. l. 1.] 'So on the day appointed, Aug. 27, 1553, the archbishop, together with Sir Thomas Smith, king Edward's secretary, and Dr. May, came before the queen's commissioners; and the archbishop brought in his inventory. We are left to guess what he was now cited for. I suppose it was to lay to his charge heresy, and his marriage.'] It was undoubtedly to charge him with treason, for what he had done in the business of queen Jane; which the appearance of Smith and May at the same time with him confirmeth. It was too early yet to object to him either heresy or marriage.

[b]Page 310. l. 7. [24. l. 3. ab imo.] 'Cuthbert bishop of Durham, formerly deprived, was restored. Edmond Boner, bishop of London, restored: Nicolas Ridley being removed from the said see, and cast into prison, &c.'] These words are said to be verbatim described out of the register of the church of Canterbury. I know not, Sir, whether you inspected that register with your own eyes; but I assure you, that register relateth the matter otherwise; *viz.* that Boner was restored to the see of London, then canonically void by the translation of Ridley [c], the bishop of it, to the see of Durham, (made in the very end of king Edward's reign;) and that Tunstall was restored to Durham, void by the deprivation of Ridley, deprived thereof for heresy and sedition.

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[a] [See Strype's Observ. Addenda, No. 1.]

[b] [Ibid.]

[c] [See Ridley's Farewell—"For that it hath pleased God to call me to a greater honour and dignity, than ever I did enjoy before either in Rochester or in the see of London, or ever should have had in the see of Durham, whereunto I was last of all elected and named."—Letters of the Martyrs, p. 90. Ed. 1564. Glocester Ridley's Life of Ridley, pp. 399. 636.]

Ibid. l. 13. [25. l. 7.] 'How they proceeded with the clergy in general for being married, may be measured, &c.—*Some were deprived, never convict nor called,* (I use the words of an author that then lived, Dr. Parker.)—*Some induced to resign upon promise of pension; and the promise, as yet, never performed.*'] Over against these latter words are placed in the margent the names of Dr. Ponet, Tayler, Parker. Of Ponet and Tayler it had been said immediately before, in this and the foregoing page, that they were deprived of their bishopricks. If then they were deprived, they were not induced to resign upon promise of pension. Of Poinet particularly it was related from the register of Canterbury, that *he was ejected, and imprisoned, and deprived of episcopacy for being married.* I suppose the words of the register are *privatus episcopatu,* which ought to be rendered, *deprived of his bishoprick,* (*viz.* of Winchester,) not of *episcopacy;* for the order is indelible, and so allowed to be by those who deprived him. The causes of Tayler's deprivation are reported from the same register; but marriage is not mentioned among them. Nay, we are assured by undoubted testimony, (*vide supra,* page 156. [vol. ii. p. 38.]) that he never was married. Farther, this account, said to be taken from the words of Dr. Parker, is not his, but they are the words of the anonymous large Defence of Priests' Marriage, published by him. 262

Page 318. med. [55. l. 2. ab imo.] 'In the first year of queen Mary, a very foul scandal was blown about of her, that she was with child by bishop Gardiner; however it was raised, whether of her enemies, to render her odious, or of some zealots of popish religion, to shew the desire they had of her matching with him.'] It will be very difficult to persuade the world, that any zealots of the popish religion, who are so prejudiced against the marriage of the clergy, should desire the marriage of a queen, whom they loved so much, with a bishop of their own communion, whom they no less admired.

Page 324. l. 2. [77. l. 1.] 'Cardinal Pole, in answer to both queen Mary's letters, thought fit to send his mind at large by his messenger Thomas Goldwel, who was once, if I mistake not, prior of the church of Canterbury; but long since fled out of England, and lived with Pole, and by the queen afterwards preferred to the bishoprick of St. Asaph.'] The prior of Canterbury, and bishop of St. Asaph, had nothing common but their names. The one was a regular, the other a secular. The first, doctor of divinity before the other was born, and dead before the other was made bishop.

[d] Page 328. l. 4. ab imo. [88. med.] 'This is some account of the church of Canterbury's doings, in pursuance of the queen's instructions before mentioned; *viz.* against the married clergy.'] This account relateth only the proceedings of that chapter against the married clergy, members of the cathedral church, or incumbents within the deanery of the Arches. The same register of that church (from whence this account is taken) relateth at large their proceedings against all the married clergy within the whole diocese of Canterbury, and in the other deaneries of the peculiar jurisdiction of that see.

[e] Page 329. l. 11. [—ab imo. 91. l. 2.] 'Bernard Ochin, prebendary of Canterbury.' So also page 400 [vol. iii. 280 &c.] His name was Bernardinus, a man sufficiently known.

[f] Page 331. l. 12. [94. l. 2.] 'The said Poinet, late bishop of Winchester, but now an exile, very learnedly answered this book (of Dr. Martin against Priests' Marriage) in two several treatises.———The second treatise he lived not to finish: but the copy falling into the hands of Matthew Parker, archbishop of Canterbury, he published it, in the beginning of queen Elizabeth's reign, with very large and excellent additions of his own.'] The same book is ascribed to Poinet, infra l. 39. [p. 95, l. 6]; with some doubt, page 330. med. [vol. iii. 93] page 53, [vol. ii. 112] 69, [vol. ii. 154] &c.] This book was most certainly none of Poinet's; for the author of it saith of himself, more than once, that he was a layman; had designed indeed to
263 enter into holy orders, but was prevented by the death of King Edward, and the iniquity of the times succeeding to it. He lived in or about either Norwich or Lincoln; and died before

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[d] [See Add. No. 1. Bp. Evans's Strictures.]

[e] [See ibid.]

[f] [See ibid. and Strype's Observ. ibid.]

the end of queen Mary's reign. Archbishop Parker, in publishing it, did not adjoin his own additions to all the printed copies, but only to a few of them.

Page 331. l. 9. ab imo. [95. l. 10.] ' The other thing thought hard concerning these orders taken with the married clergy, was, that, after these poor men had thus done their penances, the imposers of these penalties were not so good as they pretended they would be, &c. towards them, not restoring them to their ministration.'] This is not universally true. [g] All secular married clergymen, who desired it, were restored after such penance undergone, unless some other great demerit intervened. But no regulars could obtain that favour; marriage in them being accounted apostasy from their vow and order.

Page 369. l. 3. &c. [203. l. 4.] ' Latimer's character is best taken from them who best knew him, and lived in his time. One of these (Thomas Becon) thus speaks of him, while he was yet alive, in the beginning of king Edward. *Latimer was very famous for the sincerity and goodness of his evangelical doctrine; which, since the beginning of his preaching, had in all points been so conformable to the teaching of Christ and his Apostles.———His fame began to grow apace, while he was at Cambridge, some years before* 1530, *doing abundance of good there among the students by his sermons.———Before them he did, by invincible arguments, &c. prove, that the holy Scriptures ought to be read in the English tongue of all Christen people, whether they were priests or laymen,* &c.'] [h] Good Mr. Becon did herein either want true information, or hath imposed upon his readers. Latimer was so far from maintaining this doctrine ever since the beginning of his preaching, that he was one of those divines who (being deputed by the University of Cambridge) joined with archbishop Warham, and other bishops and divines, in condemning all English translations of the Scripture; and solemnly subscribed this determination: *The publication of the holy Scripture in the vulgar tongue, is not necessary to*

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[g] [See Addenda No. 1. Bp. Evans's Strictures.]

[h] [See ibid.]

Christians; and the king's Majesty and the bishops do well in forbidding to the people the common use of the holy Scriptures in the English tongue. This was done in the year 1530[i].

Page 383. l. 16. ab imo. [240. l. 8.] 'The queen would not alter her determination to have archbishop Cranmer burnt, by the instigation, as I suppose, of Pole the legate.'] I would not have remitted you to so obscure an author as Anthony Harmer[k], if yourself had not mentioned him in your Preface. He hath offered some reasons, (in his Specimen, page 144.) not altogether contemptible, to clear Cardinal Pole from this imputation. I am so charitable as to be willing at least to assent to his reasons; yourself can better judge of the validity of them.

Page 398. l. 9. [275. l. 7.] 'Among archbishop Cranmer's writings are reckoned, (from Bale,) Letters to learned Men, one book; and thereto is added, *This I cannot hear any tidings of.*'] The archbishop's Letters to learned Men never were, either by himself or others, collected into one or more books, especially at that time. But it was Bale's foolish way to account to every great man, whom he hath placed in his rhapsody of writers, *One Book of Epistles.*

Epist. Dedicat. page iii[l]. 'The judgment of archbishop Arundel was for the translation of the Scriptures into the vulgar tongue, and for the laity's use thereof. For he, preaching the funeral sermon of queen Anne in [m]1392, commended her particularly for her study of the holy Scriptures,——as I find by an ancient MS. fragment, formerly belonging to the church of Worcester, &c.'] This MS. fragment hath been often published. And Arundel, when he preached this sermon, was not archbishop of Canterbury, nor one of Cranmer's predecessors, as is here supposed. But, after all, the judgment of archbishop Arundel in this case is better declared by an authentic decree, than by a rhetorical passage in a sermon, wherein he was obliged to commend the deceased queen. He was so far, then, from favouring the translation of the Scriptures into the vulgar tongue, or the use of them by the laity, that, in the year 1408, he made this famous decree in the synod of Oxford; [n] *Periculosa res est, &c. It is a dangerous thing to translate the holy Scripture.——We decree therefore and ordain, that henceforth no man by his own authority translate any book of holy Scripture into the English, or any other tongue, by way of book, libel, or treatise; and that no such book or translation be read by any one, upon pain of the higher excommunication.* I might also observe to you, that the case of [o] archbishop Chichely, which you had mentioned immediately before this, is mistaken, he doing therein nothing more than what was usual; as also the case of archbishop Islip, who decreed, in the case by you mentioned, nothing but what was consonant to the rules of canon law, and the papal definitions; it being a rule in both, 264 that *Simplex votum impedit matrimonium contrahendum, sed non dirimit contractum.* But I fear I have been too long already. I will only put you farther in mind, that when, in the following pages, you compare the archbishops of Canterbury preceding to, and succeeding the Reformation, and accuse the former to have minded chiefly *great worldly pomp and appearance;* but praise the latter *for regarding little or nothing the vain shows of exterior grandeur and glory;* the comparison is not altogether just: for Parker and Whitgift (whom you choose to instance in) lived in as great state, pomp, and magnificence, and were attended with as large a retinue, as most of their predecessors.

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[i] [But see Dr. Watkins's Memoir of Latimer, prefixed to his Sermons, vol. i. p. xv.—where it is observed, that Latimer's approbation of this prohibition is not warranted by the mere circumstance of his name being inserted in the minutes, where he is only stated to have been present when those proceedings took place. And in corroboration of this view, he gives a long letter of Latimer's to the king, dated 1 Dec. 1530.]

[k] [That is, Wharton himself.]

[l] [See Addenda No. 1. Bp. Evans's Strictures.]

[m] [1394: according to all the old chroniclers.]

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[n] ["Periculosa quoque res est, testante bono Hieronymo, textum sacræ scripturæ de uno in aliud idioma transferre: (Const. vii.) Statuimus igitur et ordinamus, ut nemo deinceps aliquem textum sacræ scripturæ auctoritate sua in linguam Anglicanam, vel aliam transferat, per viam libri, libelli, aut tractatus, nec legatur aliquis hujusmodi liber, libellus, aut tractatus...... sub majoris excommunicationis pœna." Wilkins Conc. iii. 317.]

[o] [See Strype's Observ. Addenda No. 1.]

And that in your Preface, page vii. [xxx.] instead of *an Augustine monk of Canterbury,* should be substituted, *a monk of St. Augustine's in Canterbury.* And lastly, that, page xi. [xxxvii.] Edward Howes should (if I mistake not) be changed into Edmund Howes.

These, Sir, are the only errors which I have discovered in your history. That the observation of them may in any measure contribute to the illustration of your work, (*as I doubt not but your work will highly contribute to the information of the curious, and the justification of our Reformation,*) *is the hearty desire of,*

SIR,

Your most humble Servant,

HEN. WHARTON.

Novemb. 13, 1693.

ADDENDA.

Number I.—Notes printed from a MS. in Strype's handwriting, appended to a copy of the original Edition of this Work, in the Library of Balliol College, Oxford.

Number II.—A List of Manuscripts, preserved in the Library at Lambeth Palace, relating to Archbishop Cranmer.

Number III.—Archbishop Cranmer's Collection from the Canon Law.

Number IV.—Orders and Statutes of household observed in the house of Tho. Cranmer sometymes Lord Archbishop of Canterbury.

ADDENDA.

NUMBER I.

[a] NOTES PRINTED FROM A MS. IN STRYPE'S HAND WRITING; APPENDED TO A COPY OF THE ORIGINAL EDITION OF THIS WORK, IN THE LIBRARY OF BALLIOL COLLEGE, OXFORD.

SOME notes of the Reverend Father [b] Evans, the Lord Bishop of Bangor, upon Cranmer's Memorials, and Mr. Wharton's observations thereupon. Sent by him to me. Received from Mr. Dale of the Herald's Office, April 23. 1700.

Reformatio Angliæ ex decretis etc. It is to be found C. 1773. Tom. xiv. Concil. Edit. Labb. Paris 1672. Page 368 at the upper end [c].

Whoever reads Bishop Bulkeley's last will, and [e] cannot believe the story of his selling the bells, nor his blindness. But I am sure he was neither dead nor resigned in this year, but acted as bishop himself throughout the whole year; as appears by the Registers here at Bangor, and so he did throughout the year 1552. And I find the will of Hugh Peke of Conway proved before the Bishop himself that year on the 3d day of March, and the will of one Hugh David ap John proved before him the 5th of the same month, and year 1552; and this indeed was the last act done by him or in his name, and he lived but 9 days after this; for thus saith the Register; Decimo quarto die mensis Martii A. D. secund. comput. Ecclesiæ Angliæ 1552°. Dominique Edw. 6ti Reg. Angl. Reg. 7° diem clausit extremum P. 268. Bangor [d].

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[a] [These notes have not been published hitherto.]

[b] [John Evans, D.D. consecrated for the Bishoprick of Bangor 4 Jan. 1701: translated to Meath, Jan. 19. 1715. He was a great benefactor to the Church in Ireland and Wales.—Godwin de Præsul: Ware's Irish Bishops, ed. Harris.

[c] [ante, p. 196.]

[d] [vol. ii. p. 353 of this ed.]

[e] [sic in MS.]

Episcopus prædictus. Sedit annis undecim et diebus 22^{o}.—After this there is an hiatus in the Register of Institutions till Apr. 1554. But in the Register of Wills I find that in that April immediately upon the Bishop's death, Dr. Rowland Meyric K. D. acted by the style of R^{mi} Patris Domini Tho. Cant. Archiepiscopi Vicarius in Spiritualibus Generalis pro Dioces. Bangor sede vacante sufficienter Constitut. So he is once stiled, but afterwards Custos Spiritualitatis in all acts that are in his name or by his surrogate, William Roberts; the last of which is dated July 7th 1553: and then I suppose his authority ended with the life of King Edward, who was dead the day before July the 6th. But here is no mention of Leyson Glynne at all in these Registers. The Bishoprick continued vacant till September 1555. On the 8th of which month Bishop Glynne was consecrated, and in the rest of the vacancy after Queen Mary's coming to the crown William Roberts and Thomas Bulkeley acted as Custod. Spirit. commissioned by the Dean and Chapter of Canterbury from April 1554 till September following; and then Thomas Yule In Jure Licentiatus acted by the same style and authority till the See was filled.

P. 254[f] in observat. on p. 23.

I find one of these licenses granted by Bishop Bulkeley; particularly one to John Wynne ap Meredyth of Dolwythelan (of Gwedir also) Esq. and Ellen his wife, Dat. Nov. 5^{o}. 1543. And another the day after to one Lleney V^{rch} Meredyth of Bethllelert.

P. 254[g] in observ. on p. 25. (I think they are in the Augmentation office.)

It were to be wished Mr. Wharton had told where the subscription of the other 9 Dioceses remain; but it is to be hoped this author will find out that.

P. 256.[h] obs. on p. 38.

Why might the author not distinguish Gipwich from Ipswich as well as the Observator doth Salop from Shrewsbury? v. infra.

P. 256.[i] obs. on p. 61.

There is a very pretty observation which makes a distinction between Shrewsbury and Salop, which differ like Sarum and Salisbury; but by the Observator's leave, this Lewis Thomas, who was Rector of Llandwroe and Suffragan to the Bishop of Bangor, is in Bishop Meyric's Register styled expressly Episcopus Suffraganeus de Salop. This observation was right tinker's work, making a hole where there was none.

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[f] [Wharton's obs. vol. i. p. 503 of this ed.]

[g] [vol. i. p. 504 of this ed.]

[h] [vol. i. p. 508 of this ed.]

[i] [vol. i. p. 509 of this ed.]

P. 259.[j] obs. on p. 161.

The severe treatment given here to Bishop Ball and E. P. and the great concern to excuse the Popish Clergy, tho' all grown to an extraordinary height of wickedness, looks a little odd, to say no worse of it.

Obs.[k] on ibid. line 11th &c.

If this be true, then I am sure the observation is very frivolous; for if Turner was settled so near Canterbury and preached often in it, and was one of the Preachers in ordinary there, then I see no reason in the world why he might not be reckoned among the Preachers with which Canterbury was supplied.

P. 260.[l] obs. on p. 184.

Thomas Young was bishop of St. David's; Consecr. Jan. 22. 1559, and translated to York Feb. 25. 1560.

Rowland Meyric was never bishop of St. David's, but of Bangor; consecr. 21 Dec. 1559. Sat there 6 years, 1 month and 3 days, and died Jan. 24. 1565. He had been either chanter or residentiary of St. David's.

Obs.[m] on p. 208.

Both here and in his last observation on the comparison between the Archbishops before and after the reformation, the observator shews his teeth against our first Reformers; as indeed he doth on all occasions endeavour not only to lessen but bespatter them. What he says of Staunton's patent is gratis, and I believe false; for though the Archbishop's receivers are patent officers, I never heard that any other Bishops are so; but if this was no instance of kindness, those many others mentioned by the author certainly were not; and it was very impertinent to cavil at this.

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[j] [vol. ii. p. 678 of this ed.]

[k] [ibid. p. 680.]

[l] [ibid. p. 681.]

[m] [ibid.]

P. 261.[n] obs. on p. 275. The Author is very modest in his assertion; but the Observator very bold and positive in his negative.

P. 261.[o] obs. on p. 257. line 13. [ought to be 331. line 9.] This is most certain and plain in many instances in the register of Bishop Glynne, and in the vacancy before he came hither: but the truth is, they were favourably enough used here, for when they were deprived for being married, they were soon after preferred to other livings; of which there are many instances in the Register of Institutions at Bangor.

P. 262.[p] obs. on p. 329. So the Author calls him, p. 195. afterwards; for brevity, not out of ignorance, as the Observator supposes; so that this observation is important, and might have been well spared: but the Observator delights to find fault where there are none.

P. 262.[q] obs. on p. 331. line 12. V. Athenæ Oxon. Col. 175. Vol. i. There this book is ascribed to Poynet, and another on the same subject to Parker, and the reply to the former is styled, "A Confutation of Dr. John Poynet's book, entituled, For the Marriage of Priests, and this reply was printed London, 1555. So that even then the book was taken to be Poynet's, and the observations made by the Observator against it are of no weight; those passages mentioned might be inserted for disguise. But I conceive the Observator mistakes the Treatise for another here.

P. 263.[r] obs. on p. 369. If he imposed on his reader, then I am sure he was not good.

P. 263.[s] obs. on Epist. dedicat. p. 3. I wholly differ from the Observator, and think that a man's opinion is more certainly known by his own particular discourse or sermon than by any decree of a Council of which he is head or member; for in the former he speaks his own sense, and in the latter that of the Council. But after all, the decree here mentioned is not a total prohibition of all Translations of Scripture into the vulgar tongue, but of such as were made by private persons *Authoritate suâ*, as the works of the decree are, and particularly of Wickliff, and forbids the reading of such only Quousque per loci Diocesanum seu (si res exigerit) per Concilium Provinciale ipse translatio fuerit approbata. Council. Oxon. A. D. 1408. Can. vii. Tom. Conc. xi. Par. ii. col. 2093[t].

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[n] [vol. ii. p. 683 of this ed.]

[o] [ante, p. 715.]

[p] [ante, p. 714.]

[q] [ante, p. 714.]

[r] [ante, p. 715.]

[s] [ante, p. 716.]

[Endorsed]
Bishop of Bangor's Notes upon Cranmer's Memorials, sent by him to me.
Bishop Evans was then Bishop.
And upon Wharton's Observations.

Observations upon Mr. Wharton's Observations.

In the Epistle dedicatory, I had said of Archbishop Chicheley, P. 263.[u] that he refused to exercise his power legantine further than he should be authorised thereunto by the King. Mr. Wharton's observation or censure hereof was, that the case of Archbishop Chicheley had been mistaken, he doing therein nothing more than what was usual. I produced this passage of Archbishop Chicheley to shew how some Archbishops of Canterbury in former times stuck to their own Princes against the encroachments of Popes in their own Dominions. Agreeing hereunto in this account given of that Archbishop in his life wrote by Dr. Duck, translated in English and set forth 1699. When mentioning his Letter to the King, [which is there set down at length] he shewed "That the Power of the Pope's Legates did P. 124. derogate very much from the Dignity of the King, from the laws of the land, and from the Privileges of the Church of England." And afterwards "He was a most vigorous Defender of the King's Authority, and the rights of the Kingdom, against the Ambition of the Popes, and the oppressions of the Court of Rome.

"He despised wealth, was free from aspiring, and asserted the Rights of the Crown, and the Liberties of this Church against Papal Usurpations." Epist. dedicatory of the English Translation of the Life of the said Archbishop Chicheley.

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[t] [Const. Arund. vii. Wilkins's Concilia, tom. iii. p. 317.]

[u] [ante, p. 717.]

P. 254.[y] At p. 21.[z] l. 21. my translating *fuisse et esse nullum, hath been and is none at all,* was disliked, and that it had better been said, *hath been and is null.* Yet an Ecclesiastical Commission from the Queen A. 1576 so speaks, mentioning certain ordinances, Rules and Statutes in K. Henry's and Q. Mary's days, they are said to be either none at all or altogether imperfect.

P. 310.[a] l. 7. Mr. Wharton saith Boner was restored to the see of London then canonically void by the translation of Bishop Ridley to the see of Durham. But he never in truth had Durham, though he were nominated to it. As appears by his Farewell Letter. Acts and Mon. p. 1611. "For the space of King Edward's reign, which was the time of mine office in the sees of London and Rochester."

And that London was not canonically void, as Mr. Wh. but that bishop Ridley was removed thence violently, appears by what himself saith in the same letter; viz. "O London, London, &c. that I speak of the See thereof wherein I late was placed almost and not fully by the space of three years. But what may I say to it, being [as I hear say] I am deposed and expulsed by judgment, as an unjust Usurper of that room? O judgment, judgment! Can this be just judgment, to condemn the chief Minister of God's word, the Pastor and Bishop of the Diocese, and never bring him into judgment, that he might have heard what crimes were laid to his charge," &c.

P. 262.[b] I am assured that Ponet was not the Author of the answer to Dr. Martin's book against Priests' Marriage, but that it was some Layman, his name unmentioned.

P. 331.[c] I spake indeed in the Memorials somewhat waveringly whether that learned bishop (Ponet) was the writer. But since having seen the first part of that learned book against Martin, I make no doubt at all to attribute it to him. It is entitled, "An Apology fully answering by Scripture and ancient doctors a blasphemous book gathered by D. Steph. Gardiner, of late

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[y] [vol. i. p. 503.]
[z] [vol. i. p. 42.]
[a] [ante, p. 712.]
[b] [ante, p. 714.]
[c] [ante, p. 714.]

Lord Chancellor, D. Smith of Oxford, and other papists, as by their books appeareth and of late set forth under the name of Tho. Martin, Dr. of Civil Law, against the godly marriage of Priests, &c. By John Ponet, D.D. and Bishop of Winchester." It was printed beyond sea (where Ponet was then in exile) at Strasburgh, Anno 1556.

This book is but as it were a preliminary to what was afterwards to come forth to complete the answer, for it treats only of Martin's dedicatory Epistle to the Queen, of the title page and some part of his first chapter. The rest he seemed to have ready to follow this shortly after. For so it is in the title page, viz. "The author desireth the reader will content himself with this first book, until he may have leisure to set forth the next, which should be by God's grace shortly."

But this right reverend bishop died soon after, and (if I mistake not) in this very year 1556, wherein the first book was published; and that prevented the publishing the second part.

Now that this book "The defence of Priests' marriage, was indeed Ponet's second part, I gather particularly from some passage in the preface to the reader, and partly from the book itself. In the preface the publisher writes "that it was gathered and written in the reign of K. Philip and Q. Mary, and that by a learned man of that time, who shortly after died; meaning, if God had lent him longer life, to have confuted more of the sandy grounds and principles of that civilian," (Martin.) And "that the writer was in adversity." This out of the preface.

And in the book itself, the quickness and sharpness of his style, together with the great learning whereby the confutation is managed, seems exactly agreeable to Ponet's first book. And as Ponet's first book ended at the examination of Martin's first chapter (wherein that learned writer made only some entrance) so doth the defence begin at Martin's first chapter. And it is all verbatim the very same with what was printed in the first book to p. 57, where after a conclusion that book endeth CC. p. 178.

Whereas it is said there from the Lord Herbert's History, [d] Page 18.

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[d] [vol. i. p. 35.]

that Cranmer was present at the Lady Anne Bolen's wedding, it appears to be an error, from a passage in a letter of the said Cranmer to Dr. Hawkins the king's ambassador[e], viz. "Shee was maried much about S. Paul's day last, as the condition therof doth wel appear, by reason she is now somewhat big with child. Notwithstanding it hath been reported throughout a great part of the Realm, that I married her, which was plainly false; for I myself knew not thereof, a fortnight after, it was don. And many other things be reported of me, which be mere lyes and tales."

Int. MSS. D. Henr. S. George Garter. M. p. 351.

Ib.

And what is now said there, that the King married the said Lady Anne, immediately after his return from France, must be understood favourably. For he returned the 14th of November according to Stow. Bishop Burnet's History of the Reformation might give occasion to this: who writes, that the King married her on the 14th of November upon his landing in England.

Stow's Ann. p. 946.

[f] Hist. Ref. p. 126.

It is said there, that the Archbishop performed the ceremonies at the coronation of Q. Anne; the said Archbishop in a letter of his to Dr. Hawkins, ambassador in Germany, gave this large account of the solemnities of that coronation.

"This [i. e. the Divorce of Q. Katharine] being done," &c.[g]

Ib.

M. p. 350. See this coronation set down at large by J. Stowe in the Life of Hen. VIII. Anno 1533.

[h] P. 37. l. 16.

The confirmation of Edward Fox and William Barlow are there set down, as printed, as if they happened the same day. But there should have been a break after the mention of Fox's confirmation: and then a new line begun for Barlow with a blank left for the date of his confirmation.

Edward Fox.

The reason why his consecration is omitted in Cranmer's register is because he was not consecrated at London or Lambeth, but at Winchester, where he was consecrated by the

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[e] [See vol. i. Appendix, Number iii.* Jenk. Cranmer, vol. i. p. 27, &c.]

[f] [vol. i. p. 255. ed. Oxon. 1829.]

[g] [Then follows the extract from this letter, for which see Appendix, No. iii. to vol. i. of this work, p. 326.]

[h] [vol. i. p. 78.]

Archbishop of Canterbury Sept. 26, 1535, in the cathedral church, the bishops of Winchester and Sarum assisting, as appears from a register book of Heref. pen. D. Johan. Ep. Norwic. where he is said to have been Archdeacon of Leicester and Dorset, great almoner to K. Hen. 8. and privy counsellor. Vide C. C. p. 13.

William Barlow.

The acts of his confirmation are set down at length in Cranmer's Register, yet the very date of the day omitted. Divers instruments relating thereto are dated in the months of January and February 1535. Two whereof may fix us in the matter within a day. The one is the Archbishop's mandate to Dr. Cocks his vicar general to proceed to Barlow's confirmation; and this bore date Feb. 22: the other the Archbishop's certificate to the King of his confirmation, dated Feb. 23. So that upon one of these two days the confirmation must happen. Now considering the Sunday next happening after any confirmation was commonly the day whereon the confirmed person was consecrated, in all probability the next Sunday following after the 22d or 25th of Feb. must have been the day of his consecration. And perhaps the very day of Barlow's consecration is set down in the Register of the See of S. Asaph, as Fox's is in the Register of Hereford. [But that Register of S. Asaph is lost, as Dr. Beveridge late bishop there signified to me by his letter.]

The Archbishop's children that survived him were a son and a daughter, named Thomas and Margaret. [i] P. 418. l. 11.

Bartholomew Scott, Esq. a gentleman of good reputation at Camberwell in Surrey, married Margaret the Archbishop's widow. This Bartholomew Scott was grandson of John Scott, Esq. one of the Barons of the Exchequer in the reign of Henry the Eighth, who died 7 Sept. 1582, and lies buried in the same church of Camberwell. Vide Aubrey's Antiq. of Surrey, vol. i. p. 169, where, p. 174, is the whole inscription as followeth: Ibid. l. 13.

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[i] [ante, p. 330.]

"Bartholomew Scott (the son of John Scott) Esq. and Justice of the Peace in the County of Surry, having no issue of his body begotten, liveth notwithstanding after death by the never dying commendation of his virtues, being a valiant, wise, and religious gentleman, and leaving behind him Peter Scott, his nephew (the son of Acton Scott his brother) whom he had carefully and lovingly fostered up from his youth, the heir of his lands, and the hope of their family.

This gentleman was married to 3 wives, the first was Margaret, the widow of Right Reverend Prelate and Martyr, Thomas Cranmer, Archbishop."

[k] P. 160. In Cranmer's Catechism, [which was printed by Gualter Lynne 1548] at fo. ccxxvi. is a sermon of his entitled "A Sermon of the Authoritie of the Kayes;" which is lately printed again 1708 in Dr. Hickes's Preface to the "Divine Right of Episcopacy," at p. xxv.

This Catechism was dedicated by the Archbishop to King Edward VI, wherein he tells him, that he wrote it with a design to instruct the youth of the realm, thereby to help forward the Reformation. And in his preface he declares, he designed it for a short uniform instruction of children and young men, to prevent sundry and different forms of instruction, which otherwise would happen, if every pastor were left to devise a form for his own flock. Dr. Hickes's Pref. to the Div. Right of Episc. p. xxiv.

[l] P. 172. l. 21. De Votis Monastic. What P. Martyr's assertions were in his readings concerning monastic vows, and what Dr. Rich. Smith writ against the same, and what Martyr wrote in defence of his Readings against Smith, may be read in the said Pet. Martyr's works. The tract intitled "P. Martyris ad Richardi Smythei Angli libellos duos de cœlibat. a sacerdotum et votis monasticis defensio."

[m] Page 21. Mention is made of the sentence of divorce pronounced by the Archbishop of Q. Katharine's marriage. The said Arch-

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[k] [vol. ii. p. 46.] [l] [vol. ii. p. 80.] [m] [vol. i. p. 42.]

bishop in his letter to Dr. Hawkins the king's ambassador abroad, gives this particular account of it.

"As touching (&c.[n]

After *not to* add *knit*. [o] Appendix, p. 23. l. 11.

After ceremonies, add, and set the crown upon her. [p] P. 18. l. 19.

After law, add, the act of the 26 of this king, ca. 1. gave him authority to reform and redress, order and correct all errors, heresies and abuses in the church. [q] P. 52. l. 26.

The archbishop's letter to secretary Cecil concerning Coverdale, was as followeth. [r] Page 267.

"After my veray hertie commendations. Whereas the Bearer hereof Mr. Coverdale Bp. Electe of Excestre, is now through in al mattiers to the consecration, save only in doing his Homage, and in the Dispatch of his First fructes: theis shalbe hertily to desire you, that in consideration of his long Attendance, and of the great lack, that the West Parties have of hym, you wil shew hym your accustomable Favour and help at this present: that by your procurement he may the sooner take his othe, and have your gentill Assistaunce for the obtaining of his sute concerning the First fructes. For I minde by Goddes grace the xxx^{ti} day of this moneth to accomplish the Kinges Majesties Mandate concerning the Consecration of hym, and of the Bishop of Rochestre. And thus I bid you most hertilie wel to fare.

From the Manour at Croydon the xxiii of August 1552.

Your lovynge Frende

T. Cant.

To the right worshipful and my veraye good Frende Mr.

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[n] [Here follows an extract from the letter already mentioned; see vol. i. No. iii. from "as touching," (p. 325) to "coronation of the Queen." (p. 326.)]

[o] [vol. i. p. 357. corrected in this edition.]

[p] [vol. i. p. 36.]

[q] [vol. i. p. 111.]

[r] [vol. ii. p. 349. Printed by Dr. Jenkyns, Remains of Abp. Cranmer, vol. i. p. 342, and in the works of Abp. Cranmer, vol. ii. p. 429. Park. Soc. Ed. Dr. Jenkyns remarks that the date is wrong, as the event referred to occurred A. D. 1551.]

William Cycill one of the Kinges Majesties two principal Secretaries.

[s] P. 291. Mention is made of a commission to the archbishop and other Kentish gentlemen. On which occasion he wrote this letter to secretary Cecil[t].

[u] P. 292. Whilst the archbishop was this year 1552 at his retirement in Kent, the lord warden had some controversy with him. Of which his friend secretary Cecill informed him from court. To whom this was the archbishop's answer[x].

[y] P. 307. The archbishop's letter to secretary Cecil mentioned there was as follows[z]..... This was the last letter I have seen of this archbishop's own hand. This letter with two or three more, are in the Appendix, No. cvi, cvii, cviii, cix.

[a] P. 10. l. 6. L. Herb. Hist. p. 319. Croke. He and other agents in Italy (about ann. 1529) the king sent to the universities there, and elsewhere, to have their opinions concerning the divorce; and offering any way to prevail himself, either of his own power among the clergy, or of the council the Pope had formerly given him, till he had first discovered what the learnedest men in Christendom held in that point. In this business the king earnestly employed many at Paris, Reginald Pole, his kinsman, Sir Francis Brian, Edw. Fox. At Orleans and Tholouse, Will. Paget, Dr. Rich. Croke at Padua, Hierom de [b]Chinucci, bishop of Worcester, and [c]Gregory Casalis at Rome. The foresaid Croke and Stokesley

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[s] [vol. ii. p. 410.]

[t] [Here follows the letter given ante, p. 699. Appendix, No. cvii.]

[u] [ante, p. 411.]

[x] [Here follows the letter given ante, p. 700. Appendix, No. cviii.]

[y] [ante, p. 18.]

[z] [ante, p. 700. Appendix, No. cix.]

[a] [vol. i. p. 18.]

[b] [Called de Ghinucci by Burnet; Hist. Ref. vol. i. p. 177. et sq.) Nugutiis, by Godwin, de Præsul. (p. 468.) Consecrated bishop of Worcester in 1522; deprived in 1535. According to Burnet he was of a powerful Italian family, rivals of the Cassali. His brother Peter was employed as the king's agent in some little courts of Italy.]

[c] [i. e. Sir Gregory Cassali, Henry VIII.'s ambassador at Rome. Burnet's Hist. of Ref. vol. i. p. 90. ed. Oxon. 1829.]

at Venice: Thomas Cranmer, Andreas Johannes [d]Cesalis and Previdellus in Germany.

Besides these mentioned in Herbert, there was employed in Italy in procuring subscriptions, one friar Thomas and another friar of Florence, more friars, viz. Ambrose, Franciscus, Dionysius, Leonicus.

There was one Raphael wrote for the unlawfulness of the marriage, and afterwards wrote again the contrary, against the king: which writing came out, publickly in print; excusing himself, that what he wrote before he wrote ex aliorum mente, et ad ingenii exercitationem. But this may be seen more at large in a letter sent to the king [e]by Croke: who was the king's chief agent in this affair.

This Croke, to give here a short character of him, as he deserves to be remembered to posterity, was born in the city of London, and was admitted a student of King's College Cambridge anno 1506: went away, being scholar, and afterward followed the study of the Greek tongue, wherein he so excelled, that going beyond sea, he became public reader thereof at Leipsic in Germany. He excelled also in Latin oratory, and at his return into England, was in great favour with king Henry VIII, and most of the nobility that were learned.

He was the first Greek Professor in Cambridge after Erasmus, (who came thither by the persuasion of Dr. Fisher, then bishop of Rochester) and for the love he bore to King's College, whence he had his beginning, in his first oration he made he confessed it. [f]In short space after the University of Oxford, by great means of honourable friends and fair promises of large allowance, invited him thither to be their reader.

Camerarius confesseth himself to be his scholar, in his narration of Hessus.

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[d] [i. e. Cassali, Prothonotary at Rome, brother of the above-named Gregory. Burnet, &c. vol. i. p. 106.]

[e] [Burnet's Hist. of Reformat. vol. i. p. ii. p. 140. Appendix, No. 33. ed. Oxon. 1829.]

[f] [At the beginning of 1532 was incorporated D.D. and made third canon of the newly founded college of Christ Church. When the college was converted into a cathedral 1545, he had a pension allowed him, and retired to Exeter College. He died in 1558.—Wood's Ath. Oxon. vol. i. p. 259. ed. Bliss.]

He was the first public Orator of this [g]university (of Cambridge) and D.D. 1523. [h]He after lived in Oxford to his death, and wrote there divers things against John Leland. F. MSS. [for which Leland hath a poem against him.]

Page 367.[i] Part of Hopton bishop of Norwich to the Earl of Sussex of the Te Deum sung for joy of the queen's being brought to bed of a prince.[k]

Bishop Burnet mentions in short this letter in his history, part ii. p. 312.[l]

I find this entered in the Appendix, No. 87.

Page 390.[m] [ought to be 418.] After line 4. The archbishop seems to have left a widow, [n]named Margaret, behind him; who was afterwards married to a gentleman of quality, Bartholomew Scot, son of John Scot Esq. and justice of the peace, living in Camberwell in Surrey; who married three widows; the first was Margaret, the widow of the right reverend prelate and martyr Thomas Cranmer archbishop of Canterbury, &c. as it is yet remaining in a fine monument of the Scots in that parish church. N. p. 841.

Page 195.[o] Chap. 13. Book II. Bucer also wrote a book in Latin *De Regno Christi*, and dedicated it to king Edward VI, being his advice for the Reformation of this church about the year 1549: and was printed again at Basil in folio, with this title, "De Regno Christi Jesu Salvatoris nostri Libri ii. ad Edwardum VI. Angliæ Regem, Annis ab hinc Sex Scripti: non solum Theologis atque Jurisperitis profuturi, verum etiam cunctis Rempublicam bene et feliciter administraturis cum primis necessarii."

Of this book Dr. Tho. Sampson,[p] a learned divine, who lived in that time, thus wrote diverse years after to the L. Burghley L. Treasurer, in a letter dated Mar. the 8. 1573. wherein are these words.

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[g] [in 1522. Wood.]

[h] [1524. Wood.]

[i] [ante, p. 193.]

[k] [Here follows part of the letter given ante, p. 195. Appendix, No. 87, beginning "Further I understand" to the end.]

[l] [vol. ii. p. 578. ed. Oxon. 1829.]

[m] [ante, p. 329.]

[n] [See above, p. 27.]

[o] [vol ii. p. 142.]

[p] [See vol. ii. p. 129.]

"Bucer wrote his book [De Regno Christi] in England, but a stranger, yet of England most aptly, touching the state of it, to the king of England. Surely I suppose he could not know so much of the state of England, but by report of his familiars in Cambridge. And they were the same which now are archbishops of York* and Canterbury,† bishop of London,‡ Bradford, and such like. I know not what conference they had with him, when he made the book, but I am sure that since his death, in private talk they have much approved the book.

* Grindal.
† Parker.
‡ Sandys.

Let therefore this book of Bucer be called in question among them, that aliquid melius constituatur, et nequid in proxima synodo asperius constituatur." Transcribed out of the original.

Page 172.[q] l. 24.

Wrote two letters to the archbishop. These two letters are exemplified at the end of P. Martyr's defence de Vot. ad Cœlibat. p. 1654.

"Scripsi sub initium ultimi Februarii, Præsulum decus, ad reverendissimam dominationem tuam, culpam meam quam ad te admisi temerarius deprecans vehementer, rogansque eandem quam enixissime, ut mihi velis ex rege nostro condonationem impetrare, impetratamque ad me offerendam curare. Id quod si pro tua benignissima placabilitate, quæ apud omnes æquos saltem judices, quam optime soles audire, mea gratia feceris bona fide pollicebar, ac nunc rursum polliceor, me intra dimidiatum annum a mea in regnum reditione, exaraturum Latine libellum quemdam de nuptiis Sacerdotum, ac aliis aliquot de rebus, unde longe plus honoris et decoris regi nostro, ejus Conciliariis, tibique in primis exaraturum, quam dedecoris et ignominiæ ex meo decessu, illincque meis proditis scriptis ad eosdem pro-

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[q] [vol. ii. p. 80. See Appendix, No. lxi to the same volume, p. 664. Burnet's Hist. of Reformat. vol. ii. p. 335. ed. Oxon. 1829. Burnet mentions two letters of Smith's, one of which, written after his sureties were discharged, is given in the collections to that book, No. 54. Mr. Granger, in his corrections of bishop Burnet, (vol. iii. pt. ii. p. 532 of that edition) says, speaking of these two letters: "I can assure your lordship they are wrote to Parker, not to Cranmer; and if your lordship has any doubt of it, I can make it very evident." If Mr. Granger be right, it is obvious that the above letter, given by Strype, is not one of these two; as it bears internal evidence of being addressed to Cranmer.]

fluxerit hactenus Non ignorat honorandissima tua Dominatio, quam soleat Deus non simul nec semel omnibus sua retegere dogmata. Imprecor mihi exitium maximum illud, si quicquam improbo unquam scripserim affectu : nec diutius vivere cupio, quam velim esse semper paratus et avidus discendi veri, erratique corrigendi. Non scribo isthæc, archiepiscope ornatissime, quod desit mihi unde vivam splendide, sed quod urgear quotidie ab his, quibus, si diutius hic perduraro, quod postulatur nequeo denegare, ut excudam responsionem ad tuæ dominationis libellum de Eucharistia; et scribam de Thesibus 40 theologicis, contra omnia nostra dogmata; quod incolumi proculdubio conscientia facere non possum. Ex urbe D. Andreæ xi Februarii.

Tuæ Rev^{mæ} Dominationi studiosus
Richardus Smythæus.

NUMBER II.

In the Oxford Edition of this work, first printed in 1812, among many valuable additions, a list of the MSS. preserved in the library at Lambeth Palace, relating to Archbishop Cranmer, forms the first number of the Addenda. The Editor of this volume has thought it desirable to insert in this place a more detailed account of these MSS. with references to the copies of any which have been published, and to duplicate MSS. The numbers in small Roman letters are taken from the printed Catalogue of the Archiepiscopal Library.

1.

No. dlxxxix. 22, 23. dxc. 33.

Archbishop Cranmer's Register.

The Editor of the Oxford Edition describes this as " a folio Volume, on vellum, of 434 leaves. The Indexes to this form three Volumes, in folio, containing nearly a thousand pages. Under the article *Cranmer*, the Index extends from p. 257 to p. 266 inclusive. The chartæ miscellaneæ contain also matters of registration during his Primacy, such as visitations, commis-

sions, and licenses; as well as of exchanges of lands and manors between him and King Henry 8th; and likewise King Edward the sixth's grant to him to keep one hundred men in his retinue. From his Register there are some extracts in Henry Wharton's Manuscripts, which are preserved in this Library."

2.

No. dlxxvii. fol. 97.

Copy of Archbishop Cranmer's Letter to Secretary Crumwel, concerning his style of *Totius Angliæ Primas.*

The original is in the British Museum, Cotton MSS. Cleop. F. 1. p. 260. It is printed in Jenkyns's Remains, i. 135, and in Burnet's Hist. of Ref. App. to vol. iii. book iii. 37. [vol. iii. p. ii. pt. 120 Ed. Oxon. 1829.] Works of Abp. Cranmer, Park. Soc. Ed. i. 304, and Append. No. xiv of this work, vol. ii. p. 350.

3.

No. dlxxxv. p. 657.

Bulla Pauli Papæ mandans depositionem et degradationem Thomæ Cranmer Archiep. Cantuar. (Copy.)

4.

No. dccclxxxiv. *Codex chartaceus in folio. pp.* 48.

Orders and statutes of houshold observed in the howse of Tho. Cranmer sometymes Lo Archebishop of Cant.

This is inserted infra, Addenda, No. iv.

5.

No. mcxlv.

A copy of the said orders and statutes.

This is a modern and incorrect copy of the preceding. It has the book plate of Abp. Cornwallis.

6.

No. mcvii. *Codex chartaceus in folio, foliorum* 219.

On the cover is this title: B. Cranmer's Collections of the Lawe. Liber 9^{us}." On a parchment fly leaf, [an old illuminated MS.] is written, "Collectiones ex jure canonico cum aliis." On folio 1. recto: "B. Cranmars [sic] collections of law."

A copy of these collections forms the third number of the Addenda. It occupies 80 leaves. The portion down to fol. 75 inclusive has never been printed. The remainder is an abstract or compendium of the foregoing collections. This portion has been given in Burnet's Hist. of the Ref. vol. i. p. iii. No. 27. [vol. i. p. ii. p. 391. Ed. Oxon. 1829. by Dr. Jenkyns, vol. ii. pp. 1—10,] and in the Works of Cranmer, Park. Soc. Ed. vol. i. p. 68. A MS. duplicate also exists in the Library of Corpus Christi College, Cambridge, cccxl. 447.

The contents of the volume besides are,

2. De Sacramentis. [fol. 84—93 incl.] "De numero —— non fuerit ingrata.

   [Fol. 94 is blank.]

3. De Sacramento Unctionis extremæ. [fol. 95, 96 incl.] "Sancti Apostoli —— in Christo salvabitur.

4. Confutatio Articulorum quorundam impiorum, quos prætendunt Anabaptistæ. [fol. 97—108 incl.] "Hoc breve scriptum —— conservet. Amen."

   Fol. 109—115 inclusive are blank.

5. De sanctorum veneratione. [fol. 116—121 recto incl.] This treatise is given from Cranmer's papers in the State Paper Office by Dr. Jenkyns, iv. 295. The Lambeth MS. is imperfect, beginning "Cum non ignoramus" (296 Jenk.), but ending as the other MS. "eripere dignetur."

6. De Imaginibus. [fol. 121 verso—124 recto incl.] "Quoniam imagines —— esse docemus." This is the same essay as that in the State Paper Office, printed by Dr. Jenkyns, iv. 299.

   Fol. 124 verso, blank.

7. The right use of Images. [fol. 125—136 incl.] "Images were first."] Dr. Jenkyns, i. xv, has not copied this, but describes it as "a draft of the articles (of 1536) on images and praying to the Saints, with corrections in the handwriting of Cranmer and Tunstal. He remarks that "one

of these corrections is very characteristic of the sentiments of the two prelates. Tunstal inserted a sanction of the practice of praying to saints, upon which Cranmer added a qualification, that it must be done without any vain superstition." Both clauses are retained in the printed copies. Many parts are scored out, and several corrections made, apparently at a different time. Part of fol. 132 verso is in the handwriting of Bishop Tunstal.

Fol. 136 blank.

8. De justificatione. On the first leaf, after the title " *D. Redman.*" (the rest of the folio blank.) [fol. 137. 146.]

9. De bonis operibus et perseverantia. [fol. 147—159 recto incl.] In the same fasciculus and hand.

Fol. 159 verso—162 incl. of the same fasciculus blank.

10. For the generall counsaill. " Though that in the old times —unto them." fol. 163 recto. A fuller copy, containing a concluding paragraph, not in the above MS., is in the state paper office, which Dr. Jenkyns has printed, iv. 264. It is also given in Burnet's Hist. of the Ref. vol. i. App. B. iii. No. 10. It is signed by four bishops only in the Lambeth MS. viz. Canterbury, Durham, Bath and Wells, and Ely.

Fol. 163 verso and 164 blank.

11. Conclusiones sive articuli Domin.' Will.' Chaterys nuper Capellani parochial' Sanct. Margaretæ Villæ Lenn. 1599. In a clerk's hand. [fol. 165.]

Fol. 166 blank.

12. Ceremonies to be used in the Church. [fol. 167—180 incl.] " Though it be very truth—their neighbour." There is a pencil note, fol. 167. " N. B. There is another copy of this book in the British Museum. Cott. Libr. Cleopatra. E. 5. printed by Strype Eccl. Mem. v. i. records 109.

13. Ceremonies used in the Mass. [fol. 181—202 incl.] " Forasmuch as divers—praise for ever. Amen."

14. Forma actorum in libro altr' Procuratoris Officiarii pu^{ti} Universatis Oxon̄. et custodis dicti libri receptorum super condemnationem certorum articulorum quos Joannes Wyclif hereticus scripsit et sustinuit. (Copy.) [fol. 203—212 incl.]

15. Litera pulchra missa ad Papam Bonifacium 8. super eo quod ipse scripserat Regi, quod nedum in spiritualibus sic etiam in temporalibus sibi suberat. [fol. 213, 214 recto.] "Sanctissimo Patri—dementes." (Copy.)

    Fol. 214 verso, and 215 blank.

16. Missa Anno 1531. Copia literarum missarum a Johanne Duce Saxoniæ et aliis illi adherentibus, ad serenissimum Regem Angliæ et ad Regem Franciæ. (Copy.) [fol. 216—218 incl.] Written in an Italian hand.

    Fol. 219 blank.

7.

No. mcviii. *Codex chartaceus in folio, foliorum* 181.

On the Cover. "Sententiæ Doctorum Virorum Angliæ de sacramentis &c." On an old illuminated page inserted as a fly leaf. "Sententiæ Doctorum Virorum in Anglia de sacramentis et excommunicatione." On a fly leaf, "Collections of B. Cram̄ar." in a handwriting later than his time.

The Contents are,

1. [fol. 1.] probably in Cranmer's own hand; "How many sacraments there be in the Scripture instituted of Christ in the New Testament. Minister verbi minister reip. Whether a layman may excommunicate. Whether excommunication be necessary where Christen Governors be."

2. [fol. 2.] Certeyne peticions and requests made by the Clergie of the Lower House of the Convocation to the Abp of Canterb.

    Given by Burnet Hist. Ref. vol. ii. p. ii. book i. No. 16. p. 117. from this MS.

    Fol. 4. 5. blank.

3. From fol. 6. to 44 incl. are Queries and Answers concerning the Sacraments. (1540.) The greater part of these are given in Burnet's Hist. of the Ref. vol. ii. b. i. App. 25. (vol. ii. pt. ii. p. 192. ed. Oxon. 1829.) from this MS.; and in Works of Abp. Cranm. Park. Soc. ed. i. 150.—Cranmer's answers only by Dr. Jenkyns, ii. 178. Also Appendix No. xxxvi* in 2nd vol. of this work, p. 475. The order is as follows:—fol. 6. Bp. of Lincoln's answers, headed, "Lincolnien." in Cranmer's handwriting, as in the subsequent cases.

The questions are on one side, the answers in a smaller hand on the other.—fol. 7. blank.—fol. 8. "Cantuarien'." answers only.—fol. 9. blank.—fol. 10. "Roffen." answers only.—fol. 11. answers to the 5, 6, 7, 8, 9, 10, and 11 queries only, but numbered 1, 2, 3, 4, 5, 6, 7, no heading; but both pages signed in autograph "Ric. Cox."—fol. 12. blank.—fol. 13. first 4 questions only, followed each in answer; signed in autograph, "By me John Tanser[a]."—fol. 14. blank.—fol. 15, 16. first four queries only, then answers, in Cranmer's hand, "The answer of Richarde bushopp of Coventrie and Litchfelde." not headed or signed.—fol. 17. The first four queries only, then answers, signed in autograph, "W. Meneven."—fol. 18. do. signed in autograph, "Ric. Cox," with a fragment of the seal.—fol. 19–21. "Dunelmen.'" the first nine queries, each followed by its answer.—fol. 22. blank.—fol. 23. "Sarisburien." the answers only to the first four queries: probably autograph.—fol. 24. blank.—fol. 25. "Bristollen.'" first four queries only, with answers; signed "Per me Paulum Epum. Bristollen."—fol. 26. queries 5, 6, 7, 8, 9, with answers, signed as before.—fol. 27, 28. blank.—fol. 29, 30. "Eboracen.'" queries 1, 2, 3, 4, 8, 9, 5, with answers.—fol. 31, 32. "Elien." queries 4, 5, 6, 7, 8, 9, 1, 2, 3 (but numbered 1, 2, 3, 4, 5, 6, 7, 8, 9) with answers, "Hæc jam mea est opinio, sed sic ut auditis melioribus cedam."—fol. 33, 34. "Carliolen.'" queries 1, 2, 3, 7, 8, 9, with answers.—fol. 35, 36. blank.—fol. 37, 38, 39. "London, Worcest.' Hereford, Norwicen,' Cicestren,' Assaven.'" the first nine queries with answers.—[b]fol. 40, 41. endorsed, "for the Bishops of Worcester, Chichester and Hereford." Seven queries, followed each by its answer, by the four abovementioned.—fol. 42. A mere endorsement, "The answer of the Bishops of London, of Worcester, of Hereford, of Norwich, and of Chichester, of St. Asaph." [belongs to fol. 37–39.]—fol. 43. a set of queries; the seven queries abovementioned, and three additional ones: no answers.—fol. 44. more queries: no answers. (These queries fol. 43 and 44 are not given by Burnet, as Dr. Jenkyns and Mr. Cox remark. Dr. J. observes that the additional copy of these queries is written by a clerk, but corrected by Cranmer: to which he now adds the 10th and 11th of the original queries, and also a new one, " He seems to have renewed his interrogatories on this point, because they were not answered on the former occasion. But they appear to have been again passed by in silence."

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[a] [Perhaps this is meant for "Tayler."]

[b] [This portion given as above in Burnet, p. 210.—Jenkyns as above, p. 180. Works of Abp. Cranmer as above, p. 152.]

4. [fol. 46–48.] De auctoritate excommunicandi. " De potestate quam—Proinde quasi."

5. De auctoritate episcopali in corrigendis vitiis &c. " Quod si ita res frater—"
   fol. 51. blank.

6. [fol. 52–56.] Merita sanctorum.—Cyprian. Oratio. efficacior propter mentem orantis. Occasional underscorings in red ink.

7. [fol. 58–67.] Beginning " Augustinus de fide ad Petrum." Much underscoring in red ink. These are Cranmer's notes on Justification, published by Dr. Jenkyns, vol. ii. 121, and in the works of Abp. Cranmer: Park. Soc. Ed. vol. i. p. 203. In the latter publication the document is printed in the order in which the leaves of the MS. are at present bound up: but Dr. Jenkyns begins at the passage, " St. Paul saith that we be justified freely by faith" &c. as he thinks the other passages seem more naturally to follow; and have been transposed. It is very fairly written, both text and nearly the whole of the authorities which accompany it, as Dr. Jenkyns remarks, in the Archbishop's own hand.
   fol. 68. blank.

8. [fol. 69, 102.] More queries and answers respecting the sacraments. 17 in number, with the answers. These are given by Burnet, Hist. Ref. vol. i. book iii. No. 21. [vol. i. pt. 2. p. 314 Ed. Oxon. 1829. Also Collier's Eccl. Hist. vol. ii. Coll. of Records, No. 49. p. 40. Also Cotton MSS. Cleop. E. v. fol. 53. from which Number xxvi.* vol. ii. of this edition is printed. Jenk. ii. 98. (Cranmer's answers only.)

Fol. 69 and 70 are the queries.—fol. 71–73. the answers to the same, not headed. At the end, "T. Cantuarien.' This is myn own opinion and sentence at this present, which I do not temerariously defyne, but do remytt the iudgement therof holly vnto your maiestie."—fol. 75–84. answers, signed in autograph, "Edward Ebor."—fol. 85, 86. blank.—fol. 87–89. answers, not headed or signed.—fol. 90. endorsed, "The Bishop of Rochester i e' book."—fol. 91, 92. answer: headed; "Without prejudice of the truth, and saving always more better judgement, ad facultatem etiam melius deliberandi in hac parte. Ita mihi Edmundo Londin. Episcopo pro hoc tempore dicendum vultis salvo judicio melius sentiendi cui me promptum et humilem subjicio."—fol. 93–96. answer to do. not signed.—fol. 97, 98. blank, except that the latter (which belongs to the same fasciculus as 93) is signed in autograph "Robert Karliolen."—fol. 99–102. answer to the same, "George Daye. Opiniones non Assertiones."—fol. 103. blank.—fol. 104–107. headed "Thomas Robertson," answers to the former: the whole apparently autograph.—fol. 108, 109. blank.—fol. 110–113. do. signed "J. Redmayn," autograph sign.—fol. 114. endorsed "Ed Cocks. Confirmate de August. de Unitate. H. 15. ca. 26. Cyprian."—fol. 115. answers to do. signed in autograph "Ricardus Cox."—fol. 116, 117. headed in autograph "Edwardus Leyghton," answers to the same, apparently autograph throughout. At the end "T. Cantuarien. Per me Edoardum Leyghton."—fol. 118, 119. blank: but endorsed "Edoardus Leyghton. Vide Alexandrum de Ales."—fol. 120, 121. answers to do. signed "Symon Matthew."—fol. 122. blank.—fol. 123. endorsed "Ed. Symons.—fol. 124–126. answers to do. signed "William Tresham," apparently in autograph throughout.—fol. 127. blank.—fol. 128, 129. answers to do. signed "Richard Coren.'" apparently autograph throughout.—fol. 130, 131. signed "Edgeworth."—fol. 132. same queries: no answer. fol. 133. answers in Latin: with autograph signature "Owenus Oglethorpus."—fol. 134–137. recapitulation of above opinions, in Latin.—fol. 138–140. blank.—fol. 141–143. the same, in English.

9. [fol. 144–168.] De Divortio. "Hermas Mandate iiii.to Et dixi. Origen. in Math." See Dr. Jenkyns i. lvii.

10. [fol. 169.] Queries and answers to certain questions about divorce &c. The first four queries are Cranmer's autograph; the rest are in an Italian hand. These are printed in Burnet's Hist. of the Ref. vol. ii. part ii. book i. No. 20. from this MS.

    Fol. 170. blank.

11. From fol. 171 to 181 (on which is the endorsement "Collectiones de divortio") are various queries and answers about divorce.—fol. 171–173. "Quod non—licet a divortio facto—" In Italian hand, much underscored in red ink.—fol. 174, 175. "Quod liceat post divortium secundum inire conjugium."—fol. 176, 177. blank.—fol. 178. is a continuation of the queries, in folio 173 extending to 19.—fol. 179. is a continuation of fol. 172.—fol. 180. queries respecting adultery. At the end "Finis."

8.

No. mcxxxvi. Codex membranaceus in folio paginarum 36.

Processus contra Thomam Cranmer, Archiep.' Cantuar.' Given above as No. lxxxviii.* of the Appendix to this volume. Works of Abp. Cranmer, Park. Soc. Ed. i. 541.

NUMBER III.

ARCHBISHOP CRANMER'S COLLECTIONS FROM THE CANON LAW.

[For a notice of this document, see vol. i. of this edition, p. 47 and 330 of this volume. See also Addenda No. ii. p. 737. This Collection, written with the Archbishop's own hand, and now for the first time published, has a peculiar and intrinsic interest. It contains the principal passages in the authoritative code of the Church of Rome which support the usurpations of the Roman pontiff, and exhibit its politico-religious creed. These extracts are often accompanied by the marginal observations of the Archbishop. But it is clear that all the extracts were not made with a view of exposing error. There are several, especially from the ancient Fathers and Bishops of an earlier age, which are evidently collected for the purpose of exhibiting those sounder principles which the corrupt practice of the Church in after times contravened. It would seem that the Archbishop had this twofold object in view, and that the reformation of the ecclesiastical law was a favourite object with him, long before he was officially called up to undertake it.

The text is given exactly as it occurs in the Lambeth MS. This has been collated by the Editor with the Corpus Juris Canonici, Leipsic edition, 1839; and the variations are given as foot notes. Where all the editions collated by the Leipsic editors agree with Abp. Cranmer's text, the Leipsic correction is simply given without remark: where there is a want of agreement among these editions, a specific statement is made: but where the Archbishop's text is unsupported by any of them, the correct reading is given in Italics. For the purpose of this work the Leipsic collation is assumed to be correct. As the glosses are not contained in that edition, the Editor has collated them with the Paris edition of 1561, and the Antwerp of 1573.]

[Lambeth Library. No. mcvii.]
[fol. i. recto.]

Di. 8. [c. i.]

Augus. super Joh'em[a]

QUO JURE

Quo jure defendis villas ecclesiæ, divino, an humano? Divinum jus in scripturis habemus, humanum in legibus regum. Unde quisque possidet, quod possidet? Nonne jure humano? Nam jure divino Domini est terra et plenitudo ejus. Pauperes et divites una terra supportat. [b]Dominus de uno limo fecit et pauperes et divites. Jure [c]ergo humano dicitur: hæc villa [d]est mea, hic servus meus est, hæc domus est mea. Jura autem humana, jura imperatorum sunt. . . . . Et quis audet dicere, [e]hæc villa est mea, meus est ille servus, [f]mea est hic domus? . . . Et paulo post, [g]*Noli ergo dicere, quid mihi et regi? Quid tibi ergo et possessioni? Per jura regum possidentur possessiones.* Dixisti, quid mihi et regi? [h]Noli ergo dicere possessiones tuas, quia ipsa jura [i]renunciasti humana, quibus [k]possessiones possidentur.

Di. 10. [c. i.]

Nicolaus Papa[l]

LEGES.

[n]Constitutiones vero principum ecclesiasticis constitutionibus non præeminent, sed subsequuntur. Lege imperatorum non in

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[a] [Tract vi. ad c. 1. [§. 25.] Joannis.]

[b] [*Deus*]

[c] [*tamen*]

[d] [*mea est, hæc domus mea, hic servus meus est.*]

[e] [*mea est illa villa, aut meus*]

[f] [*aut domus hæc mea est.*]

[g] [*nolite dicere*]

[h] [*Noli dicere*]

[i] [*humana renunciasti*]

[k] [*possidentur possessiones*]

[l] [Ep. 32. episcopis in concil. apud Convicinum congregatis. A. 863.]

[m] [This is the Rubric. The text begins at Lege.]

Leges contra canones non valent.

[interlined] glo: utor pro rege, quo non utor contra me.

omnibus ecclesiasticis controversiis utendum est, præsertim cum [n]inveniatur evangelicæ ac [o]catholicæ sanctioni aliquotiens obviare. Item Lex imperatorum non est supra legem Dei, sed subtus. *Imperiali judicio non possunt* [p]*jura ecclesiastica dissolvi.* . . . . . Et mox: *Non quod imperatorum leges, quibus sæpe ecclesia utitur contra hæreticos*, sæpe contra tyrannos, atque contra pravos [q]quoscunque defenditur, dicamus penitus renuendas: Sed quod eas, evangelicis, apostolicis, *atque canonicis decretis, quibus postponendæ sunt,* [r]*non posse inferre* [s]*judicium asseramus.*

[fol. I verso]

[Di. 10. c. ii.]

NON LICET

Symmachus Papa [t]

Non licet Imperatori, vel cuiquam pietatem custodienti aliquid contra divina mandata præsumere, nec quicquam, quod [u]evangelicis vel propheticis, *aut apostolicis regulis* [v]*obtinet agere.*

[Di. 10. c. iv.]

CONSTITUTIONES [See ante Appendix 88** p. 584.]

Felix Papa [x]

Constitutiones contra canones et decreta Præsulum Romanorum, vel bonos mores, nullius sunt momenti.

[Di. 10. c. vi.]

SUSCIPITIS. [See vol. ii. p. 508. Ans. to Dev. rebels.]

Gratianus Cyprianus [z]

Ecce quod constitutiones principum [y]*ecclesiasticis postponendæ sunt. Ubi autem evangelicis atque canonicis decretis non obviaverint, omni reverentia digna habeantur.*

[Di. 10. c. viii.]

QUONIAM IDEM.

[a]Ut Christiani imperatores pro æterna vita pontificibus indigerent, et pontifices, pro cursu temporalium tantummodo rerum, imperialibus legibus uterentur, quatenus spiritualis actio a carnalibus distaret incursibus. *Et ideo* [b]*militans minime*

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[n] [*inveniantur*] [o] [*canonicæ*]

[p] [*ecclesiastica jura*]

[q] [*quosque*]

[r] [*nullum*]

[s] [*præjudicium*]

[t] [in sexta Synodo Romana: A. 502.—A supposititious Council, according to Leips. Ed.]

[u] [*evangelicis, propheticis.*]

[v] [*obviet*]

[x] [Ex Epist. ad Zenon. Aug. scr. A. 484.]

[y] [*ecclesiasticis legibus*]

[z] [So the old copies. But the correctors assign this to Pope Nicolas in Epist. vii. ad Michaelum Imperatorem. A. 865.]

[a] [*ut et*]

[b] [*militans Deo minime se negotiis secularibus*]

* [sic]

*secularibus negotiis sese implicaret, ac vicissim, [c]ne ille rebus divinis prœsidere videretur, *[d]quiescet sæcularibus negotiis implicatus.*

Di. 17. [c. i.]

SYNODUM
Absque authoritate Romani pont: non potest fieri synodus Episcoporum.
[fol. 2 recto]

Marcellus Papa [e]

Synodum episcoporum absque [f]hujus sedis Romanæ authoritate, quanquam quosdam episcopos possitis congregare, *non potestis regulariter facere,* neque ullum episcopum qui hanc [g]appellavit apostolicam sedem, damnare, antequam hinc sententia [h]diffinita procedat.

[Di. 17. c. ii.]

REGULA

Julius Papa [i]

Regula vestra nullas habet vires, nec habere poterit, quoniam nec ab orthodoxis episcopis hoc concilium actum est, nec Ro: ecclesiæ legatus interfuit canonibus præcipientibus sine ejus authoritate concilia fieri non debere. *Nec ullum ratum est, aut erit unquam concilium, [k]quod ejus non fuerit fulcitum authoritate.*

[Di. 17. c. iii.]

HUIC SOLI

Damasus Papa [l]

Huic soli sedi concessa nullus usurpare sine ejus consultu præsumat, qui non vult honore ecclesiastico, indignus [m]aut contemptor judicari.

[Di. 17. c. iv.]

NEC LICUIT
* [sic]

Gregorius Papa [n]

*Nec [o]licuit aliquando, nec licebit, *perticularem synodum congregare,* sed quoties aliqua de universali synodo aliquibus dubitatio nascitur, ad recipiendam de eo, quod non intelligunt rationem, *aut sponte [p]hi, qui salutem animæ suæ desiderant, ad apost. se. pro recipienda ratione conveniant,* aut si forte sicut de talibus scriptum est: Peccator, cum [q] prævenerit in profundum malorum contemnit, [r] *Ita qui obstinati et contumaces extiterint, ut doceri non velint, eos ab eiisdem* [s] *sedibus apost. aut attrahi ad salutem quoquomodo necesse est, aut (ne aliorum perditio esse* [fol. 2. verso] *possint*) secundum canones *per* [t] *sæculares* oportet opprimi *potestates.*

---

[c] [non ille]

[d] [*qui esset negotiis secularibus*]

[e] [Ep. ad Maxentium tyrannum.]

[f] [*hujus sanctæ sedis auctoritate*]

[g] [*appellaverit*]

[h] [*definitiva*]

[i] [Julius i. In rescript. contr. Orient. pro Athanas.]

[k] [*quod non fultum fuerit ejus authoritate.*]

[l] [Damasus i. ad Stephan. Epist. iv.—supposititious. acc. to Leips. ed.]

[m] [so all coll. edd. exc. Bas. 1481. —ut : Leips. ed.]

[n] [The correctors and Leips. ed. assign this to Pelagius i. Ep. ad Narsen. Mansi : ix. 732.]

[o] [*licuit alicui aliquando*]

[p] [*ii*]

[Di. 17. c. v.]

MULTIS Multis denuo ap. et canonicis atque ecclesiasticis instruimur Pelagius [u] regulis, *non debere absque sententia Ro. Pon. concilia celebrari.* Quapropter, (ut jam dictum est,) recte non concilium, [x] sed conventiculum vel conciliabulum cassatur, et quicquid in eo actum est, irritum habetur et vacuum. Vos quoque deinceps videte ut nullius hortatu talia præsumatis, si apo. se communione carere non vultis ...... Et mox, *Majores vero et difficiliores quæstiones ut sancta* synodus statuit, et beata consuetudo exigit, [y] *ad sedem semper referantur apostolicam.*

[Di. 17. c. vi.]

CONCILIA *Concilia Sacerdotum ecclesiasticis legibus quotannis decreta* Symmachus papa [z] *per provincias, quia præsentiam Papæ non habent, valetudinem perdiderunt.* Legistis insanissimi aliquando [a] in illis provinciis majoribus, præter apostolici apicis sanctionem aliquid constitutum, et non de majoribus negotiis ad consultationem si quid occurrerit, præfatæ sedis arbitrio fuisse [b] reservatum ...... Et mox. * [c] Simmachus Papa, sedis apostolicæ præsul, ab hujus- * [Gratianus.] * [sic] modi * [d] appositionibus impetitus quantum ad homines respicit, sit immunis et liber; cujus caussam totam Dei judicio reservamus.

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[q] [*venerit*]

[r] [*ita obstinati*]

[s] [*apostolicis sedibus*]

[t] [sæculares opprimi oportet: all coll. edd.—sæculares comprimi potestates: Leips. ed.]

[u] [Pelagius ii. Epist. i. Episcopis qui convenerant ad illicitam vocat. Joannis Constantinop.]

[x] [*sed vestrum conventiculum*]

[y] [*ad sedem apostolicam semper referantur.*]

[z] [Ex Ennodii libello apol. pro Syn. Rom. hab. A. 501. Leips. ed.]

[a] [*in illis præter*]

[b] [*servatum*]

[c] [Inter acta Syn. Rom. iv.]

[d] [propositionibus: Merl: and Mans.—oppositionibus: Leips. ed.]

Di. 19. [c. i.]

[fol. 3. recto]
Si Ro.
[See vol. ii.
08. Ans. to
Dev. reb.]
Sancticues
Ro. Pon. ab
mnibus sunt
bservandæ.

NICOLAUS PAPA.[e]

Si Romanorum Pontificum decreto ceterorum opuscula tractatorum approbantur vel reprobantur, [f]ut quod se. apo. probavit hodie teneatur acceptum, et quod illa *repulit, hactenus* inefficax habeatur; *quanto potius quæ ipsa pro catholica fide, pro sanis dogmatibus, pro variis et multiphariis ecclesiæ necessitatibus, et fidelium moribus diverso tempore scripsit, omni* [g]*honore debent præferri, et ab omnibus prorsus, in* [h]*quibuslibet necessitatibus vel opportunitatibus discretione,* vel dispensatione *magistra,* [i]*reverentur assumi.* Quanquam quidem vestrum scripserit, haud illa decretalia priscorum Pontificum, in toto canonum codicis [k]corpore esse descripta, [l]et ideo inter canones non assumanda. [m]Cum et ipsi suæ intentioni hæc suffragari conspiciunt, in omnibus illis indifferenter utantur, et solum nunc [n]ad diminutionem se. ap. potestatis, et ad suorum augmentum privilegiorum minus accepta esse perhibeant. Item Si ideo non esse decretales epistolas priscorum Pontificum Romanorum admittendas dicunt, quia in [o]corde canonum non habentur ascriptæ. Ergo nec sancti Gregorii, nec ullius alterius, qui [p]ante ipsum fuit, vel post ipsum est, aliquid institutum, vel [q]rescriptum recipiendum, eo quod in codice canonum non habeatur ascriptum. Ergo doctrinam eorum et sanctiones, quæ ab omni lingua venerantur, quia in codice canonum non habentur ascriptæ, de codicibus suis [r]abradant, ut quid vel membranas occupant, postquam non habentur acceptæ? Sed quare multum [s]immoremur, cum nec ipsas divinas scripturas veteris et novi testamenti, jam recipiemus, si istos [t]dixerimus esse audiendos? Etenim neutrum horum in codice canonum ecclesiasticorum habetur insertum.

ol. 3. verso]

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[e] [ad archiep. et ep. per Gall. const:—inter Acta Conc. Rom. A. 865.]

[f] [*ita ut*]

[g] [*debent honore*]

[h] [*quibuslibet opportunitatibus discretione*]

[i] [*reverenter*]

[k] [*corpore contineri descripta*]

[l] [The words, et ideo inter canones non assumenda, in all the coll. edd. omitted in Leips. ed.]

[m] [*quum ipsi, ubi hæc suæ intentioni suffragari conspiciunt, illis indifferenter*]

[n] [*imminutionem*]

[o] [*codice*]

[p] [*ante vel post ipsum fuit, aliquod*]

[q] [*scriptum*]

[r] [*eradant*]

[s] [*immoramur*]

[t] [*duxerimus audiendos*]

Sed responsuri sunt isti, [u]qui ad resistendum potius, quam ad obediendum [x]parati sunt, dicentes, quod inter canones inveniatur capitulum Sancti [y]Innocentii Papæ, cujus authoritate doceatur a nobis utrumque testamentum esse recipiendum, quanquam in ipsis paternis canonibus nullum eorum ex toto contineatur insertum. Quibus ad hæc [z]respondendum est, quoniam si vetus, novumque testamentum [a]sunt recipienda, non quod codici canonum ex toto habeantur annexa, sed quod de his recipiendis Sancti Papæ Innocentii prolata videatur esse sententia. Restat nimirum, quod decretales epistolæ Romanorum pontificum sunt recipiendæ. [b]Etsi non [c]sunt codici canonum compaginatæ, quoniam inter ipsos canones unum beati [d]Leonis papæ capitulum constat esse permixtum, quo ita omnia decretalia constituta se. apo. custodiæ [e]mandant, ut si quis in illa commiserit, noverit sibi veniam denegari.

[Palea.]

[fol. 4 recto]

[f]Dixit enim capitulo [g]nono, suarum decretalium; Ne quid vero sit, quod prætermissum a nobis forte credatur, omnia decretalia constituta, tam [h]bonæ recordationis Innocentii, quam omnium [i]prædecessorum nostrorum, *[k]qui de ecclesiasticis ordinibus et canonum promulgata sunt disciplinis. Ita [l]nostra declaratione custodiri mandamus, ut si quis in illa commiserit, veniam [m]sibi noverit denegari deinceps. Dicendo vero, omnia decretalia constituta nullum de decretalibus constitutis prætermisit, quod non mandaverit esse custodiendum. Et rursus asserendo, omnium [n]prædecessorum nostrorum, nullum Pontificum Romanorum, qui ante se fuerunt, excepit, cujus ita non præceperit decretalia constituta ab omnibus custodiri, ut si quis in illa commiserit, veniam sibi deinceps noverit denegari.

* [sic]

---

[u] [qui non ad obediendum potius, quam ad resistendum]

[x] [*semper sunt parati,*]

[y] [Sancti Innocentii Papæ,]

[z] [asserendum]

[a] [*recipienda sunt*]

[b] [*Etiamsi*] [c] [*sint*]

[d] [*Leonis capitulum*]

[e] [*mandantur*]

[f] [*ait enim*]

[g] [quinto: orig. c. 10: Leips. ed.]

[h] [*beatæ*]

[i] [*decessorum*]

[k] [*quæ de*]

[l] [*a vestra dilectione*]

[m] [*sibi deinceps noverit denegari.*]

[n] [*decessorum*]

* [“consti-
uta” a pri.
nanu]

fol. 4. verso]

Itaque nihil [o]interest, utrum sint omnia necne decretalia se. apo. *[p]statuta inter canones conciliorum immixta, cum omnia in uno corpore compaginari non possint, et illa eis intersint, quæ firmitatem his quæ desunt, et vigorem suum assignent, præsertim cum synodalia gesta, inter quæ ipsi canones statuti sunt in codice canonum non habeantur, sed a nobis omni cultu debito venerentur. Consonat autem hinc beatissimo [q]Leoni Papæ etiam facundissimus sanctus in decretis suis Papa Gelasius, ita inquiens, Decretales epistolas, quas beatissimi Papæ diversis temporibus ab urbe [r]Romana pro diversorum Patrum consultatione dederunt, venerabiliter suscipiendos decernimus. In quo notandum est, [s]quod non dixit, Decretales epistolas, quæ inter canones habentur, [t]vel quas moderni Pontifices ediderunt, sed, quas beatissimi Papæ diversis temporibus, ab urbe [u]Romana dederunt. Dicens autem, diversis temporibus, etiam illa tempora vir sanctus comprehendit, quæ crebrescentibus paganorum persecutionibus, ad se. apo. deferri causas episcoporum difficillime permittebant. His ita (divina favente gratia) prælibatis, ostendimus, [x]nullam esse differentiam inter illa decreta, quæ in [y]corpore canonum habentur, se. apo. præsulum, et ea, quæ præ multitudine vix per [z]singula corporum volumina reperiuntur, cum omnia, et omnium [a]prædecessorum suorum decretalia constituta atque decretales epistolas, quas beatissimi Papæ diversis temporibus, ab urbe Ro. [b]dederunt, fore venerabiliter suscipiendas et custodiendas, eximias præsules, Leonem scilicet et Gelasium, mandasse probavimus.

ɔl. 5. recto]

C OMNES

Agatho
Papa [c]

* [interlined]
glossa: Papa
sanctitatum
recipit a cathedra. 40 di.
non nos.
[c. i.]

[Di. 19. c. ii.]

*Sic omnes [d]sanctiones apostolicæ sedis accipiendæ sunt, tanquam ipsius [e]divina voce Petri firmatæ.**

[o] [*refert*]

[p] [*constituta*]

[q] [*Papæ Leoni sanctus et facundissimus in decretis*]

[r] [*Roma*] [s] [*quia*]

[t] [nec *tantum quas*]

[u] [*Roma*]

[x] [*nullam differentiam esse*]

[y] [*codice*]

[z] [*singula voluminum corpora*]

[a] [*decessorum*]

[b] [*dederunt, venerabiliter fore suscipiendas*]

[c] [Ex. alloc. ad Episc. in Conc. Rom. A. 630.]

[d] [*omnes apostolicæ sedis sanctiones*]

[e] [*divini Petri voce firmatæ*]

[Di. 19. c. iii.]

IN MEMO.

Ex concilio Caroli Imperatoris[f]

In memoriam B. Petri apostoli honoremus sanctam Ro. et apo. se. ut, quæ nobis sacerdotalis mater est [g]dignitatis, ecclesiasticæ esse debet magistra rationis. Quare [h]observanda est cum mansuetudine humilitas, [i]*et licet vix ferendum ab illa sancta sede imponatur jugum,* tamen *feramus, et pia devotione toleremus.*

[Di. 19. c. iv.]

ENIMVERO

Stephanus Papa[j]

Enimvero, quia in speculum et [k]exemplum *Romana ecclesia,* cui nos Christus præesse voluit, proposita est, *ab omnibus, quicquid statuit, quicquid ordinet perpetuo et irrefragabiliter observandum est.*

[Di. 19. c. v.]

NULLI FAS

Gregorius Papa[l]

Nulli fas est vel velle, vel posse transgredi apostolicæ sedis præcepta, nec nostræ dispositionis ministerium, quod vestrum sequi oportet charitatem. Sit ergo ruinæ suæ dolore prostratus, quisquis apostolicis voluerit contrarie decretis, nec locum deinceps inter sacerdotes habeat, sed [m]exors a [n]sancto fiat ministerio, nec de ejus judicio quisquam postea curam habeat.

Di. 20. [c. i.]

QUAM OB
[See vol. ii. 508. Ans. to Dev. reb.]
[fol. 5. verso]

Leo papa[o]

Quam ob caussam luculentius et magna voce pronunciare non timeo, *quia, qui illa, quæ* [p]*prædiximus sanctorum Patrum statuta, quæ apud nos canonum nomine prætitulantur,* (*sive* [q]*sit episcopus, sive clericus, sive laicus,*) *non indifferenter recipere convincitur, nec catholicam et apostolicam fidem,* [r]*nec quatuor*

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[f] [According to the correctors: Ex capitulis Caroli Imperatoris.—Baluz. Cap. Reg. Fam. ad A. 801. et Concil. Trib. A. 895.]

[g] *dignitatis, esse debeat ecclesiasticæ magistra*]

[h] [*servanda*]

[i] [*ut*]

[j] [In fine Epist. Steph. V. ad Episc. Orient. ad calcem conc. Const. iv. Mansi tom. 16.]

[k] [*exemplum, sancta Romana*]

[l] [Ex Epist. ad Episc. Galliæ. A. 832.]

[m] [So all coll. edd. except Bas. 1481.—extorris: Leips. ed.]

[n] [*a sancto ministerio fiat,*]

[o] [Leo iv. Epist. ad Episc. Brit. A. 850.]

[p] [*diximus*]

[q] [sit ille episcopus]

[r] [*nec sancta quatuor*]

evangelia utiliter et efficaciter ad effectum suum retinere vel credere probatur.

Di. 21.

DECRETIS *Decretis ergo Romanorum Pontificum et sacris canonibus conciliorum ecclesiastica negotia, (ut supra monstratum est,) terminantur. Ministri vero sacrorum canonum, et decretorum Pontificum sunt summi Pontifices, et infra præsules et reliqui Sacerdotes,* quorum [r]institutio est in veteri testamento inchoata, et in novo plenius consummata. Summi enim Pontifices et minores sacerdotes, a Deo sunt instituti per Moysem, qui ex præcepto Domini Aaron in summum pontificem, filios vero ejus unxit in minores sacerdotes. . . . Et mox, Porro, Salomon quendam modum exorcizandi invenit, quo dæmones adjurati ex obsessis corporibus pellebantur; huic officio mancipati exorcistæ vocati sunt, de quibus Dominus in evangelio: Si ego in Beelzebub ejicio dæmonia, filii vestri *[s]sunt exorcistæ, in quo ejiciunt? Hæc omnia in novo testamento ecclesia imitata habet janitores suos, quos ostiarios appellamus. Pro cantoribus lectores et cantores instituit. Exorcistas autem nomine antiquo et officio permanenti recepit. Pro filiis vero Aaron omnes infra summum pontificem sacerdotium administrantes sunt consecrati . . . . Et mox, Simpliciter vero majorum et minorum sacerdotum discretio, in novo Testamento ab ipso Christo sumsit exordium, qui xii apostolos tanquam majores [t]sacerdotes, lxxii discipulos quasi minores sacerdotes instituit. Petrum vero quasi in summum sacerdotem elegit, dum ei, præ omnibus et pro omnibus claves regni cœlorum tribuit, et a se petra, [u]Petri nomen sibi imposuit, atque pro ejus fide se specialiter rogasse testatus est, et ut cæteros [x]confirmaret, subjunxit, dicens, [y]"Ego pro te rogavi, (Petre,) ut non *dificiat fides tua, Et tu aliquando conversus confirma fratres tuos." Hanc eandem formam apostoli secuti in singulis civitatibus, episcopos et presbyteros ordinaverunt.

Gratianus

* [sic]

[fol. 6. recto]

* [sic]

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[r] [*Institutio in veteri testamento est inchoata*]

[s] [*videlicet*]

[t] [*sacerdotes, et lxxii*]

[u] [*Petri sibi nomen*]

[x] [*confirmaret, sibi injunxit*]

[y] [*Ego rogavi pro te, Petre*]

[Di. 20. c. i.]

Cleros — Cleros etc. Generaliter autem clerici nuncupantur omnes, qui in ecclesia Christi deserviunt, quorum gradus et nomina sunt hæc: Ostiarius, psalmista, lector, exorcista, acolithus, subdiaconus, diaconus, presbiter, episcopus. Et mox Pontifex princeps sacerdotum [a]est, vel dicitur, quasi via sequentium. Ipse et summus sacerdos, Ipse et pontifex maximus nuncupatur. [fol. 6. verso] Ipse enim efficit sacerdotes atque Levitas: ipse omnes ordines ecclesiasticos disponit. Ipse quod unusquisque facere debeat ostendit. — Isidorus[z]

[Di. 21. c. iii.]

Quamvis — Quamvis universæ per orbem [c]catholicæ et apostolicæ constitutæ ecclesiæ unus thalamus Christi sit[d], Tamen *sancta ecc. catholica et apostolica nullis synodicis constitutis cæteris ecclesiis* prælata est. *Sed evangelica voce Domini, et Salvatoris nostri primatum obtinuit.* Tu es[e], (inquiens,) *Petrus, et super hanc petram ædificabo ecc. meam.* . . . Et paulo post. *Est ergo* [f]*prima apostoli Petri sedes Romana ecclesia, non habens maculam* [g]*nec rugam, nec aliquid hujusmodi.* . . . *In his omnibus, quanto excelsior[h], [i]tanto authoritas major invenitur. *In majoribus siquidem est regendi et jubendi* [k]authoritas, in minoribus obsequendi necessitas. — Pelagius[b] — * [Gratianus]

Di. 22. [c. i.]

Omnes sive [See vol. ii. 507. Ans. to Dev. reb.] — Illam vero solus [m]ipse fundavit, et super petram fidei mox nascentis erexit, qui [n]beato a Petro æternæ vitæ clavigero terreni simul et cœlestis imperii jura commisit. Non ergo [o]quilibet terrena sententia, sed illum verbum, per quod constructum — Nicolaus papa[l] est cœlum et terra, per quod denique omnia condita sunt elementa, Ro. fundavit ecclesiam. . . Et paulo post. . Unde non dubium, quià [p]quisque cujuslibet ecclesiæ jus suum detrahit, injustitiam facit. Qui autem *Ro. ecclesiæ privilegium ab ipso summo omnium ecclesiarum capiti traditum auferre conatus, hic proculdubio in hæresim labitur; et cum ille vocetur injustus, hic est*[q] *dicendus hæreticus.*

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[z] [lib. vii. etymol. cap. 12.]

[a] [*est, quasi*]

[b] [The Leipsic edd. attribute it to Decr. Gelasii A. 494–496.]

[c] [*catholicæ ecclesiæ*]

[d] [*sint, sancta tamen Romana catholica et apostolica ecclesia*]

[e] [*es Petrus, inquiens, et*]

[f] [*prima Petri apostoli*]

[g] [*neque*] [h] [*celsior*]

[i] [*tanto major authoritas invenitur*]

[k] [*potestas*]

[l] [Nic. ii. Ep. ad Mediolan. But the Leips. edd. remark that it is in the Ep. of Petrus Damianus to Hildebrand, in the acts of the Council of Milan (A. 1058) Mansi, xix.

[m] [*ille*] [n] [*beato æternæ*]

[o] [*quælibet*]

[Di. 22. c. ii.]

[fol. 7. recto]

SACRO-SANCTA

Anacletus [r]

Sacrosancta Ro. et apostolica ecclesia non ab apostolis, sed ab ipso Domino salvatore nostro, primatum obtinuit, [s]sicut beato Petro Apostolo dixit: Tu es Petrus, et super hanc petram æd. ec. me. . . . usque. soluta in cœlo. . . . Et mox, Hæc vero apostolica sedes [t]caput et cardo (ut præfatum [u]est) a Domino, et non ab [x]aliis constituta est. Et sicut cardine ostium regitur, sic hujus[y] apostolicæ sedis authoritate, omnes ecclesiæ (Domino disponente) reguntur.

Di. 28. [c. xvii.]

CONSULENDUM

[See Append. 88** Letter to Q. Mary. ante, p. 585.]

* [sic]

Nicolaus Papa [z]

Consulendum decernitis, utrum presbyterum habentem uxorem debeatis sustentare et honorare, an a vobis projicere. In[a] quo respondemus: Quoniam licet ipsi valde sunt reprehensibiles, vos [b]cum* Deum convenit imitari, qui solem suum oriri facit super bonos et malos. Dejicere[c] eum a vobis ideo non debetis, quoniam nec Judam Dominus, (*cum esset mendax discipulus*) [d]a numero [e]discipulorum ejecit. [f]Verum et de presbiteris vobis, qui laici estis, nec judicandum est, nec de vita[g] eorum [h]quicquam investigandum: Sed episcoporum judicio, quicquid [i]ita sit, est reservandum.

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[p] [*quisquis cuilibet*]

[q] [est proculdubio dicendus]

[r] [Ep. iii. c. 3. ad omnes Episc.]

[s] [sicut ipse beato]

[t] [*cardo et caput*]

[u] [est) omnium ecclesiarum Domino]

[x] [*alio est constituta*]

[y] [*hujus sanctæ*]

[z] [Ep. ad consulta Bulgarorum. c. 70. Ser. A. 866.]

[a] [*Ad quod*]

[b] [*tamen*]

[c] [Dejicere enim eum: all coll. edd.—dejicere vero eum: Leips. Ed.]

[d] [de numero]

[e] [apostolorum]

[f] [Sic et: Bas. Ed. 1841. Verum de: Leips. Ed.]

[g] [*eorum vita*]

[h] [quidpiam]

[i] [*est, per omnia reservandum*]

Di. 34. c. xviii.

Lector glossa: *Sic ergo papa dispensat* contra apostolum: et mox; Lucius tamen dispensavit cum Panormitano archiepiscopo, qui fuit bigamus.

Martinus papa[k]

Lector, si viduam alterius uxorem acceperit, in lectoratu permaneat, aut [l]si necessitas [m]fuerit, subdiaconus fiat, nihil autem supra. [n]Similiter si bigamus fuerit.

Di. 38. c. i.

Concilium Toletanum[o].

Ignorantia mater cunctorum errorum maxime in [p]sacerdote Dei vitanda [q]est, qui docendi officium in [r]populo Dei susceperunt. [fol. 7. verso.] *Sacerdotes*[s] *legere sanctas admonentur Scripturas*, Paulo Apostolo dicente ad Timotheum; Attende [t]lectioni et exhortationi doctrinæ, et semper permane in his. *Sciant* [u]*ergo sacerdotes sanctas*[x] *scripturas et canones*, [y]*et omne opus eorum in prædicatione et doctrina consistat, atque ædificent cunctos, tam fidei scientia, quam operum disciplina.*

[Di. 38. c. iii.]

Si in laicis.

Leo papa[z].

Si in [a]*laicis videtur intolerabilis inscientia, quanto majus in his*[b], *qui præsumit, nec* [c]*excusatione est digna, nec venia?*

[Di. 38. c. 12.]

Sedulo

Augus de cathechisandis rudibus[d].

Sedulo monendi sunt. . . . . Et mox. [e]His maxime utile est, nosse, ita esse præponendas verbis sententias, ut præponitur animus corpori. Ex quo fit, ut ita malle debeant *veriores quam disertiores audire sermones*, sicut malle debent prudentiores quam formosiores habere amicos. Noverint enim, non esse voces[f] ad aures Dei, nisi animi [g]effectum. . . . . Non quia ita minime corrigenda sunt, ut populus ad id, quod plane intelligit, dicat Amen; sed quia pie toleranda sunt ab eis, qui didicerunt ut sono in foro, sic voto in ecclesia benedici. Itaque forensis illa nonnunquam forte bona dictio nunquam tamen benedictio dici potest.

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[k] [Conc. Tolet. i. c. 3.]
[l] [*si forte necessitas*] [m] [*sit*]
[n] [similiter et si]
[o] [Conc. Tol. iv. cap. iv. A. 633.]
[p] [*sacerdotibus*] [q] [*vitanda*]
[r] [populis susceperunt]
[s] [*sacerdotes etiam legere sanctas scripturas* frequenter admonet Paulus apostolus, dicens]
[t] [*lectioni, exhortationi et doctrinæ,*] [u] [*igitur*]
[x] [*scripturas sanctas*] [y] [*ut*]
[z] [ad clerum et pop. Const. Ep. xxii. A. 450.]
[a] [*laicis* vix tolerabilis *videtur inscitia*] [b] [*iis,*]
[c] [*excusatione digna est,*]
[d] [cap. 9.] [e] [His etiam]
[f] [*vocem*] [g] [*affectum*]

Di. 40. [c. i.]

NON NOS.

Symmachus Papa[h].

Quis enim sanctum dubitet esse, quem apex tantæ dignitatis attollit, in quo si desunt bona acquisita, per meritum sufficiunt, quæ a loci [i]predecessore [j]testantur. Aut enim claros ad hæc fastigia erigit, aut qui eriguntur, illustrat.

[fol. 8. recto.]

[Di. 40. c. vi.]

SI PAPA [See vol ii. p. 509. Ans. to Dev. reb. and Append. ** ante, p. 591.]

Bonifacius Papa[k].

Si Papa suæ et fraternæ salutis negligens deprehenditur inutilis et remissus [l]*in suis operibus, et insuper a bono taciturnus, quod magis officit sibi et omnibus, nihilominus innumerabiles populos catervatim secum ducit, primo mancipio gehennæ cum ipso* [m]*plagis in æternum vapulaturus. Hujus culpas istic redarguere præsumit mortalium nullus,* quia cunctos ipse judicaturus a nemine est judicandus, nisi deprehendatur a fide devius; pro cujus perpetuo statu universitas fidelium tanto instantius orat, quanto suam salutem post Deum ex illius incolumitate animadvertit propensius pendere.

GLOSA.

* [c. xiii.]
† [c. xli.]
‡ [c. vi.]
§ [c. xx.]
‖ [c. xxxvi.]
¶ [c. xiv.]
* [c. xxix.]

Si Papa &c. a nemine. Papa a nemine potest judicari, ut 9. Q. iii.* Nemo, quod intelligi, nisi ipse se subjiciat alii. 2. Q. 7.† Nos si incompetenter. Sed contra, 24. Q. 2.‡ Sane præfectus. versiculo item Romanorum ubi dicitur quod Dioscorus Papa Romanus fuit excommunicatus, quamvis in fide non peccaverat. Sed ibi appellat papam Patriarcham Constantinopolitanum. Item adhuc obstat xii. Q. ii. non liceat.§ Ibi unus papa judicat de suo successore, sed ibi non judicat de ipso, sed dicit quod non liceat ei alienare [n]res et obire a fide devius. Quod intelligit Hugo, cum papa non vult corrigi, si enim paratus esset corrigi, non posset accusari, ut. 23. Q. 1.‖ Aperte et ita ait, &c.¶ Hæc est fides, et 2. Q. 3.* Dixit Apostolus. Sed quare non potest accusari de alio crimine? Ponamus quod notorium sit crimen ejus, vel per confessionem, vel per facti evidenciam, quare non [fol. 8. verso] accusatur, vel de crimine simoniæ, vel adulterii, [o] etiam cum admonetur incorrigibilis est et scandalizatur ecclesia per factum ejus. Certe credo quod si notorium est crimen ejus [p] quocunque, et inde scandalizatur ecclesia, et incorrigibilis sit, quod inde * [di. lxxxi. c. xv.] possit accusari. Nam contumacia dicitur [q] hæresis ea ut [r] lxxx.* † [c. xvi.] di. Si qui presbiteri. Et contumax dicitur infidelis, ut 38 di.† Nullus. Hic tamen specialiter fit mentio de hæresi; ideo quia etsi [s] nulla esset heresis de illa posset accusari, sed de alio occulto crimine non posset. Item nunquid potest denunciari crimen papæ secundum [t] istam regulam? Si peccaverit in te frater tuus, cum nomine fratris quilibet Christianus dicatur ut ‡ [c. xxiv.] xiª. Q. 3.‡ Ad mensam. Sed dico quod non potest denunciari crimen de ipso, nisi inde possit accusari, nam inutilis esset denunciatio. Item nunquid papa [u] possit statuere quod non possit [x] accusari de heresi. Re. quod non, quia ex hoc periclita- § [c. vi.] retur tota ecclesia, quod non licet infra 25. Q. 1.§ Sunt quidam. quia hoc fit in eo casu, quo desinit esse caput ecclesiæ, et ita non tenet constitutio. Sed pro quo peccato potest imperator deponi, pro quolibet si est incorrigibilis, unde deponitur si est || [c. iii.] minus utilis. ut 15. Q. 6. Alius. ||

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[h] [Ex libr. apolog. Ennodii pro Syn. iv. hab. A. 501.]

[i] [decessore]

[j] [So all coll. edd. exc. Lyons 1548, 1564. and Antw. Contii.—præstantur: Leips. ed.]

[k] [Ex dictis Bonif. Mart. caput non offensæ fidei.]

[l] [*in operibus suis,*]

[m] [*plagis multis in*]

[n] [res ecclesiæ]

Di. 56. [c. i.]

PRESBITER Presbyterorum filios a [z] sacris ministeriis removemus, nisi in URBANUS [y] cœnobiis, aut in canoniis religiose probati fuerint conversati.

[Di. 56. c. xii.]

APOSTOLI Apostolica authoritate præcipimus vobis, ut si eum, qui ab ALEXANDER [a] ecclesia electus est, altero digniorem esse, canonicamque ejus [fol. 9. recto] electionem probaveritis, fulti nostra authoritate consecretis. * [sic] Nam pro eo, [b] quo filius sacerdotis dicitur, si [c] certe* virtutes in eo[d] conveniant, non rejicimus, sed suffragantibus meritis connivendo eum recipimus.

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[o] [et] [p] [quodcunque]
[q] [hæresis ut] [r] [lxxxi]
[s] [occulta]
[t] [regulam istam]
[u] [posset] [x] [posset]
[y] [Urb. ii. ex concil. Melphit. A. 1089.—Ep. ab Pibonem Tullens. Ep. 17. Mansi.]
[z] [sacris altaris ministeriis]
[a] [Alex. ii. de elect. Amald. Cenoman. apud Mabillon Anal. p. 307.]
[b] [*quod*] [c] [*ceteræ*]

[Di. 56. c. xiii.]

Cenomanen. Cenomanensem electum, pro eo, quod filius sacerdotis dicitur, si ceteræ virtutes in eum conveniunt, non rejicimus, sed suffragantibus meritis patienter suscipimus, non tamen, ut hoc pro regula in posterum assumatur, sed ad tempus ecclesiæ periculo consulitur. . . . *Cum ergo ex sacerdotibus nati, in summos Pontifices supra legantur esse promoti, non sunt intelligendi de fornicatione, sed de* [f]*ultimis conjugiis nati, quæ* sacerdotibus *ante prohibitionem ubique licita erant, et in orientali ecclesia usque hodie eis licere* [g]*probantur.* Urbanus Papa [e] [ibid.] Gratianus.

[Id. c. xiv.]

Quia. Quia simpliciter ad sedem apostolicam veniens humiliter peccatum confessus est, quod pontificii tui videbatur officium impedire, videlicet quod ex matre non legitima procreatus sis, quam vivente propria uxore pater tuus cognovisse dinoscitur, Nos apostolicæ mansuetudinis gratia admonente a ceteris quæ sacerdotium impediunt criminibus tam tui professione quam fratrum testimonio, qui tecum sunt, immunem te [i]cognoscentes, et vitam tuam religiosam audientes, ab hujus te peccati vinculo absolutum in suscepto sacerdotali officio confirmamus. Urbanus [h]

[Di. 63. c. i.]

Nullus [See vol. ii. p. 512. Ans. to Dev. reb.] Nullus laicorum principum vel potentum semet inserat electioni aut promotioni patriarchæ, [l]metropolitani, aut cujuslibet episcopi, ne videlicet [m]inordinata et incongrua fiat [n]electio, vel confusio, vel contentio, præsertim cum *nullam in talibus potestatem quenquam potestativorum vel cæterorum laicorum habere con-* Adrianus [k]

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[d] [*eum*]

[e] [Urb. ii. ep. ad Barth. Turon. Archiep.—But the Leipsic Editors consider this not to have been written by Urban, as Bartholomew was then dead, but to have been constructed out of the above letter of Alex. ii.]

[f] [*legitimis*]

[g] [*probatur*]

[h] [Urb. ii. ad Petronium, sive Petrum Legion. Episc.]

[i] [*agnoscentes*]

[k] [in Syn. Const. c. 22. A. 870.]

[l] [*metropolitæ*]

[m] [inordinata hinc et]

[n] [fiat confusio]

Principes non se intromittant.

veniat. Et infra : [o]Quisquis secularium principum [p]vel potentum, vel alterius dignitatis laicus adversus [q]communem consonantem atque canonicam electionem ecclesiastici ordinis agere temptaverit, anathema sit, donec obediat et consentiat, quicquid ecclesia de electione et ordinatione proprii præsulis se velle monstraverit.

[fol. 9 verso] [Id. c. ii.]

ADRIANUS

[r] Sinodus 8

Adrianus Papa secundus, quod Nicolaus predecessor ejus disposuerat, missos suos, Donatum scilicet Hostiensem episcopum, et Stephanum [s]Neophesinum episcopum, et Marinum diaconum sanctæ Romanæ ecclesiæ, ad Basilium imperatorem et ad filios ejus Constantinum et Leonem Augustos Constantinopolim direxit, cum quibus et Anastasius bibliothecarius Romanæ sedis, utriusque linguæ, Græcæ et Latinæ, peritus, perrexit, et synodo congregata (quam octavam universalem synodum illuc convenientes appellaverunt) exortum schisma de Ignatii depositione et [t]Fotini ordinatione sedaverunt, Fotium anathematizantes et Ignatium restituentes, in qua sic statutum est. Consecrationes et promotiones Episcoporum, concordans prioribus conciliis, clericorum electione ac [u]decreto et episcoporum collegio fieri [x]hæc sancta et universalis synodus [y]diffinivit et statuit, atque jure [z]promulgavit, neminem laicorum principum vel potentum semet inserere electioni vel promotioni patriarchæ, vel [a]metropolitani, aut cujuslibet episcopi, ne videlicet [b]inordinata et incongrua hinc fiat electio, contentio, vel confusio, præsertim cum in talibus nullam potestatem quemquam potestativorum vel [c]laicorum ceterorum habere conveniat, sed silere [d]vel attendere sibi, usquequo regulariter a collegio ecclesiæ suscipiat finem electio [e]pontificis futuri. Si vero quisquam laicorum ad contractandum [f]vel cooperandum invitatur ab ecclesia, licet [g]hujusmodi laicorum reverentia, si forte voluerit, obtemperare se asciscentibus. Taliter enim dignum pastorem sibi regulariter ad [h]suam et ecclesiæ salutem promovet [i]clerus.

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[o] [quisquis autem sæcularium]

[p] [*et*]

[q] [*communem et consonantem*]

[r] [Hadr. ii. Synod. viii. Actione i. a. 870.]

[s] [*Nepesinum*]

[t] [Photii]

[u] [decreto episcoporum collegii]

[x] [*sancta hæc*]

[y] [diffinit]

[z] [promulgat]

[a] [*metropolitæ*]

[b] [inordinata hinc et incongrua fiat electio vel confusio vel contentio. all Coll. edd. and Pan.—*inordinata* hinc et incongrua fiat confusio vel contentio : Lips. ed.]

[c] [ceterorum laicorum]

[d] [et]

[e] [futuri pontificis]

[Id. c. xxi.]

AGATHO [See vol. ii. p. 512. Ans. to Dev. Reb.]

[k] Ex gestis Ro. pont.

Agatho natione Siculus, cujus legatione fungens Joannes episcopus Portuensis dominico die [l]octavo paschæ in ecclesia S. Sophiæ publicas missas coram principe et patriarcha Latine celebravit, * *hæc*[m] *suscepit ab illo* [n]*divalem regiam epistolam, secundum suam postulationem, per quam relevata est* [o]*quantitas pecuniæ, quæ solita erat dari pro ordinatione pontificis facienda, sic tamen, ut, si contigerit post ejus transitum electionem fieri non debeat ordinari, qui electus fuerit, nisi prius decretum generale introducatur in regiam urbem secundum antiquam consuetudinem, ut* [p]cum eorum conscientia et jussione debeat ordinatio [q]prosperari. [fol. 10. recto] Item Vitalianus natione [r]Liguensis direxit responsales suos cum synodica epistola juxta consuetudinem, in regiam urbem [s]apud piissimos principes, significans de ordinatione sua.

* [Sic]

Ad imperatorum non spectat principis electio.

[Id. c. xxii.]

ADRIANUS

[t] Hist. ecclesiast.

Adrianus Papa Romam venire Karolum regem ad defendendas res ecclesiæ postulavit. Karolus vero Romam veniens Papiam obsedit, ibique relicto exercitu in sancta resurrectione ab Adriano Papa Romæ honorifice susceptus est. Post [u]sanctam resurrectionem [x]conversus Papiam, cepit Desiderium regem; deinde Romam reversus, constituit ibi synodum cum Adriano Papa in [y]patriarchatu Lateranensi in ecclesia Sancti Salvatoris, quæ synodus celebrata est a cliii episcopis religiosis et abbatibus. Adrianus autem Papa cum universo synodo *tradiderunt Karolo jus et potestatem eligendi Pontificem, et ordinandi apostolicam sedem, Dignitatem quoque patriciatus ei* [z] *concesserat. Insuper Archiepiscopos et Episcopos per singulas provincias ab eo investituram accipere* [a] *diffinivit,* ut, nisi a rege laudetur et investiatur episcopus, a nemine consecretur. *Et quicunque contra hoc decretum ageret, anathematis vinculo eum innodavit, et nisi resipisceret, bona ejus publicari præcepit.*

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[f] [et]

[g] [hujusmodi laico: all coll. edd. and Pan. hujusmodi cum reverentia: Leips. ed.]

[h] [suam ecclesia]

[i] [clerus: omitted Leips. ed. The correctors say it is an interlineary gloss in the older copies.]

[k] [Ex Anastasii Bibl. vitis RR. PP.]

[l] [octavarum]

[m] [hic]

[n] [divalem, secundum]

[o] [quantitas, quæ]

[p] [cum ejus conscientia: all coll. edd. cum ejus scientia: Leips. ed.]

[q] [provenire]

[r] [*Signiensis*]

[s] [ad]

[t] [Sigebert. Gemblacen. A. 1112. ad A. 774.]

[u] [sanctam vero resurrectionem]

[x] [*reversus*]

[y] [patriarchio]

[Id. c. xxiii.]

IN SYNODO In synodo congregata Romæ in ecclesia Sancti Salvatoris. [b] Leo papa Ad exemplum beati Adriani apostolici sedis antistis, qui domino Karolo, victoriosissimo regi Francorum et Longobardonum, patriciatus dignitatem ac ordinationem apostolicæ sedis, et investituram episcoporum concessit, *Ego* [c] *Leo quoque, servus servorum Dei, episcopus, cum toto clero ac Romano populo constituimus* et confirmanus et corroboramus, et per nostram apostolicam auctoritatem *concedimus atque largimur Domino Ottoni primo, regi Theuthonicorum, ejusque successoribus hujus regni Italiæ, in perpetuum facultatem eligendi successorem, atque summæ sedis Apostolicæ Pontificem ordinandi, ac per hoc archiepiscopos seu episcopos, ut ipsi ab eo investituram accipiant et consecrationem, unde debent, exceptis his, quos imperator pontificibus et archiepiscopis concessit ; et ut nemo deinceps* [d] *cujuscunque dignitatis vel* [e] *religionis eligendi vel patricium vel Pontificem summæ sedis Apostolicæ, aut quemcunque episcopum ordinandi habeat facultatem absque concursu ipsius imperatoris, quod tamen fiat absque* [fol. 10. verso] *omni* pecunia, et ut ipse sit patricius et rex. Quod si a clero et populo quis eligatur episcopus, nisi a supradicto rege laudetur et investiatur, non consecretur. Si quis contra [f] hanc apostolicam authoritatem aliquid molietur, hunc excommunicationi subjacere decernimus, et nisi resipuerit, irrevocabili exilio punire, vel ultimis suppliciis affici.

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[z] [concessit: Bas. ed. 1481. *concesserunt*]

[a] [diffinivit, *et ut*]

[b] [Leo 8: A. 963. The Leipsic editors consider this of doubtful authority.]

[c] [*Ego quoque Leo episcopus servus servorum Dei, cum*]

[d] [cujusque]

[e] [religiositatis]

[f] [hanc regulam et apostolicam]

[Id. c. xxxiii.]

TIBI DOMINO

[g] Constitutio Ottonis.

Tibi domino Joanni Papæ ego rex Otto promittere et jurare facio per Patrem et Filium et Spiritum Sanctum, et per lignum hoc* [h]vivicæ crucis, et per has reliquias Sanctorum, *quod si (permittente Domino) Romam venero, sanctam* [i]*ecclesiam Romanam et te rectorem ipsius exaltabo secundum* [k]*meum posse* [l]et vitam, aut membra, nunquam neque ipsum honorem quem habes, mea voluntate, aut meo consilio, aut meo consensu, aut mea exhortatione perdes, et in [m]Roma *nullum placitum aut ordinationem faciam de omnibus, quæ ad te aut ad Romanos pertinent, sine tuo concilio, et quicquid de terra Sancti Petri ad nostram potestatem pervenerit, tibi reddam, et unicunque Italicum* [n]*regimen commisero, jurare faciam illum, ut adjutor tui sit, ad defendendam terram* Sancti Petri secundum suum posse.

* [Sic]

Di. 76. [c. i.][o]

JEJUNIUM

[p] Hieron. in Zachar.

Jejunium, quod ter in anno apud nos [q]celebrari didicisti, convenientius nunc per quatuor tempora fieri decernimus, *ut,* [r]*sic annus per quatuor volvitur tempora, sic et nos quaternum solenne* agamus jejunium per [s]quatuor anni tempora.

[Id. c. ii.]

CONSTITUIMUS

[t] Ex concilio magno

Constituimus, ut quatuor tempora anni ab omnibus, id est [u]in Martio, hebdomada prima; in Junio, secunda; in Septembri, tertia; in Decembri, quarta.

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[g] [Juram. Ottonis quod fecit papæ Joanin. Luitp. ad A. 961.]

[h] [*vivificæ*]

[i] [*Romanam ecclesiam*]

[k] [*posse meum*]

[l] [*et vitam aut membra, nunquam neque ipsum*]

[m] [Romæ: all coll. edd. Romana urbe: Leips. ed.]

[n] [*regnum*]

[o] [Calixtus scribens Benedicto Episc. epist. i.]

[p] [This has reference to the vi. C. further on, ad finem.]

[q] [celebrare]

[r] [sic]

[s] [anni quatuor]

[t] [Conc. Mogunt. i. cap. 34. A. 813.]

[u] [*in mense Martio*]

[Id. c. iii.]

De jejunio

[x] Ex concilio Salegunstæ

[fol.10. recto]

* [Sic]

* [Sic]

De jejunio [y]autem quatuor temporum hanc certitudinem statuimus, ut si calendæ [z]Martii in quarta feria sive antea evenerit, eodem hebdomada jejunium celebretur. Si autem Calendæ [a]Martii in [b]quinta feria, aut sexta, aut in sabbatum distendatur, in [c]sequenti* ebdomada jejunium differatur. Simili quoque modo, si calendæ Junii in quarta feria aut antea evenerint, in subsequenti ebdomada jejunium celebretur; et si in quinta, aut sexta feria, [d]aut in sabbato [e]contigerit, jejunium in [f]tertia ebdomada reservetur. Et hoc sciendum est, quod, si quando jejunium mensis Junii in vigilia Penthecostes secundum prædictam regulam evenerit, non ibi celebrandum erit, sed in ipsa ebdomada solenni Penthecostes, quia vigilia simul et jejunium celebrari non debent, et tunc propter solemnitatem [g]Sancti Spiritus diacones* dalmaticis induantur, et Alleluya [h]decantatur, et Flectamus genua, non dicatur. Eodem modo septimi [i]mensis jejunio constitutum est, ut, si calendæ Septembris in quarta feria evenerint aut [k]antea, in tertia ebdomada jejunium celebretur, et si in quinta, aut sexta, aut sabbato contigerint, in quarta hebdomada jejunandum erit. In Decembri vero illud observandum erit, ut in proximo sabbato ante vigilium natalis Domini celebretur jejunium, quia si vigilia in sabbato evenerit, simul vigilium et jejunium celebrare non convenit.

[Id. c. iv.]

Statuimus

[l] Urbanus papa

Statuimus etiam, ut Jejunia quatuor temporum hoc ordine celebrentur; primum in initio quadragesimæ, secundum in ebdomada Pentecostes, tertium vero in Septembri, Quartum in Decembri more solito fiat.

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[x] [Calixtus Papa Scribens Bened. Episc. epist. 1. ex Conc. Saleg. A. 1023.]

[y] [autem incerto quatuor]

[z] [*Martiæ*] [a] [*Martiæ*]

[b] [*quintam feriam, aut sextam, aut in sabbatum distenduntur*]

[c] [sequentem hebdomadam]

[d] [*aut sabbato*]

[e] [contigerint]

[f] [So Lyons edd. 1548, 1564—tertiam hebdomadam]

[g] [*Spiritus Sancti*]

[h] [*cantetur*]

[i] [So Lyons edd. 1548, 1564. de Septembris.]

[k] [*antea, jejunium in tertia hebdomada celebretur*]

[l] [Urban. ii. in Conc. Placent. c. 14. A. 1094.]

[Id. c. v.]

Utitur Igitur post sanctæ lætitiæ dies, quos in honorem Domini a [m] Leo papa mortuis resurgentis, ac [n] deinde cœlum ascendentis exegimus, postque acceptum Sancti Spiritus donum, salubriter et necessario consuetudo est ordinata jejunii, ut, si quid forte inter ipsa [o] festivitatis gaudia negligens libertas et licentia [p] immoderata præsumpserit, hoc religiosæ abstinentiæ censura castiget.

[Id. c. vi.]

Hujus Hujus observantiæ [r] utilitas, (fratres dilectissimi,) in ecclesi- [q] Leo papa asticis præcipue est constituta jejuniis, quæ ex doctrina Sancti Spiritus ita per totius anni circulum distributa sunt, ut lex ab- [fol. 10. verso] stinentiæ omnibus [s] esset ascripta temporibus. Siquidem jejunium vernum in quadragesima, æstivum in penthecoste, autumnale in mense septimo, [t] hiemale in hoc, qui est decimus, celebremus, intelligentes [u] divinis esse nihil vacuum præceptis, et verbo Dei ad eruditionem nostram omnia elementa servire, dum per ipsius mundi cardines quasi per quatuor evangelia incessabili tuba discimus quod et prædicemus et agamus. Primum vero Gratian mensem, quartum, septimum, et decimum, non Hebræorum ratione, sed nostra debemus accipere. Primus enim mensis apud illos est Aprilis, quartus Julius, septimus October, decimus Januarius, in [x] quibus etiam jejunabant, in quinto mense, qui est Augustus, quæ fuerit eis caussa jejunii, [y] Hiero. super Zachariæ exponit, dicens.

Di. 82. [Gratianus.]

Generali Generaliter etiam pauperibus et [z] his qui suis manibus laborare non possunt, episcopus necessaria provideat. Unde in

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[m] [Leo i. Serm. i. de jej. pentec. Serm. 78. ed. Baller.]

[n] [*deinde in cœlos*:—cœlum: all Coll. ed. except. Lyons edd. 1515, 1548, 1564.]

[o] [festivitatem]

[p] [inordinata præsumsit]

[q] [Leo i. Serm. viii. de jej. dec. men. Serm. 19. ed. Baller.]

[r] [utilitas, dilectissimi]

[s] [*sit*]

[t] hiemale autem in hoc mense]

[u] [*divinis nihil vacuum esse præceptis*]

[x] [*quibus et præterea in quinto*]

[y] [*Hieronymus in commentariis ad cap.* 8. *Zachariæ.*]

[z] [*iis*]

[a] Aurelianensi concilio legitur. Episcopus pauperibus vel infirmis, qui debilitate [c] faciente suis manibus laborare non possunt, victum et vestitum (ni quantum sibi possibile fuerit,) largiatur. [b] CONCILIUM AURELIANEN

Di. 86. [c. vi.]

FRATREM Fratrem nostrum [e] Marianum episcopum verbis, quibus vales, excita, quia [f] eum dormisse suspicor. Dic ergo [g] illi, ut loco [h] et mentem mutet, [i] *nec sibi credat solam lectionem et orationem sufficere, ut* [k] *remotus nihil studeat de manu fructificare, sed largam manum habeat, necessitatem parientibus concurrat, alienam* inopiam suam credat, quia, si hæc non habet, vacuum nomen episcopi tenet. [d] Gregorius Papa

Di. 91.

QUI AUTEM Qui autem turpi lucro vel inhonesto negotio victum sibi quærere prohibentur, de oblationibus ecclesiæ stipendia consequantur. *Quod si ecclesia ei sufficere non potuerit, proprio* [m] *artificio vel agricultura (exemplo Apostoli, qui de labore manuum vivebat,) sibi necessaria inveniat,* ita tamen, ut occasione [fol. 11. recto] [n] suis operis [o] ecclesiæ vigiliis non desit, quod absque inæqualitate sui corporis nulli impune conceditur. [l] Victor Papa

[Id. c. ii.]

PRESBITER *Presbiter: Et mox. Deinde peractis horis, infirmis visitatis, si voluerit, ad opus rurale exeat jejunus, ut iterum necessitatibus perigrinorum et hospitum sive diversorum commeantium, infirmorum quoque atque defunctorum succurrere possit.* [p] Ex Concilio Naneten.

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[a] [Concilio Aurelianensi 1. c. 18.]

[b] [A. 511.]

[c] [*faciente non possunt suis manibus laborare*]

[d] [Ep. 29. ad Secundinum. lib. v. Ep. 29. (Ep. i. 6. ed. Bened.) A. 596.]

[e] [So all coll. edd. except Bas. 1481.—Marinianum.]

[f] [obdormisse eum]

[g] [ei, cum]

[h] [mutet et mentem]

[i] [non]

[k] [remotus studeat sedere, et de]

[l] [This is Gratian's.]

[m] [*artificiolo*]

[n] [*sui*]

[o] [*vigiliis ecclesiæ*]

[p] [The Leips. Edd. attribute this to Hincmarus Remensis, inter capitula, c. 9.]

[Id. c. iii.]

CLERICUS

[q] Concilium Carthaginen

Clericus victum et vestimentum sibi artificiolo vel agricultura, absque officii sui duntaxat detrimento, [r] *præparet.* [s] *Clericus enim, qui absque corpusculi sui inæqualitate vigiliis deest, stipendio privatus, excommunicetur.*

Di. 92. [c. ii.]

IN SANCTA

[t] Gregorius Papa

In sancta Ro. ecclesia dudum consuetudo est valde reprehensibilis exorta, *ut quidam ad* [u] *sacri altaris ministerium constituti, cantores eligantur,* et in diaconatus ordine constituti modulationi vocis inserviant, *quos ad prædicationis officium et eleemosinarum* [x] *studia vacare congruebat.* Unde fit plerumque, ut [y] in sacro ministerio, dum blanda vox [z] queritur, congrua vita negligatur, et cantor minister Deum moribus stimulet, cum [a] vocibus populum delectat. [b] *Qua de re præsenti decreto constituto, ut in hac sede sacri altaris ministri cantare non debeant; solamque evangelicæ lectionis officium* [c] *intra missarum solennia exsolvant; psalmos* vero ac reliquas lectiones censeo per subdiacones* (vel, si necessitas exigit,) per minores ordines exhibere. Si quis autem contra hoc decretum meum venire temptaverit, anathema sit.

* [Sic]

Di. 96.

ILLUD AUTEM

[See vol. ii. p. 512. Ans. to Dev. Reb.]

Principes nullum habent jus de rebus ecclesiasticis disponendis.

Gratianus

Illud autem Honorii Augusti, quod de electione Summi Pontificis supra constituisse legitur, nullius esse momenti probatur, cum non solum de ordinibus, sed nec etiam de rebus ecclesiasticis legatur aliquando laicis attributa disponendi facultas. Unde quæcunque a principibus in ordinibus [d] *vel in ecclesiasticis rebus decreta inveniantur,* [e] *authoritatis esse monstrantur.*

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[q] [Conc. Carth. iv. c. 49. and 52.]

[r] [paret]

[s] [Clericus qui]

[t] [Lib. iv. ep. 44, et l. xii. post fin. epist.—in concilio ab ipso hab. A. 603.]

[u] [ministerium cantores:—constituti rejected by the correctors, as not being in the ancient copies.]

[x] [*studium*]

[y] [ad sacrum ministerium]

[z] [quæritur, quæri congrua]

[a] [*populum vocibus*]

[b] [Qua in re]

[c] [*inter*]

[d] [*vel ecclesiasticis*]

[e] [nullius auctoritatis]

[fol. 11. verso]

[Id. c. i.]

BENE QUIDEM [See vol. ii. p. 512. Ans. to Dev. Reb.] Res ecclesiasticæ non sunt alienandæ

Symmachus Papa [f] Hormisdas [g]

Bene quidem etc.... *Ne unquam prædium, sive rusticum, sive urbanum,* vel ornamenta, aut ministeria ecclesiarum, quæ nunc sunt, vel quæ ex quibuslibet titulis ad ecclesiarum jura pervenerint, ab eo, qui nunc antistes sub electione communi fuerit ordinandus, et illis, qui futuris sæculis sequentur, *quocunque titulo* [h]*aut commento alienari liceat.* [i]*et quicunque hoc facere voluerit,* inefficax atque irritum [k]revocetur, sitque facienti, [l]et consentienti accipientique anathema. . . [m]Et mox : Papa merito beati Petri Apostoli per universum orbem primatum obtinens sacerdotii, statutis Synodalibus consuevit tribuere firmitatem. . . . Et mox. Nec apud nos incertum habetur, hanc ipsam scripturam nullius esse momenti, veruntamen etiamsi aliqua posset ratione subsistere, modis omnibus in synodali conventu provida beatitudinis vestræ sententia enervari conveniebat *et in irritum deduci, ne in exemplum remaneret præsumendi quibuslibet laicis, quamvis religiosis, vel potentibus, in quacunque civitate quolibet modo aliquid decernere de ecclesiasticis facultatibus,* quarum solis sacerdotibus *disponendi indiscusse a Deo cura commissa docetur.*

Eulalius

[Id. c. iv.]

UBINAM Imperatores non debent interesse conciliis, nisi quum de fide agitur.

Nicolaus [n]

Ubinam legistis, imperatores antecessores vestros synodalibus conventibus interfuisse, nisi forsitan in [o]*quibusdam ubi de fide tractatum est, quæ universalis est,* quæ omnium [p]communis, quæ non solum ad clericos, verum etiam ad laicos, et ad omnes omnino pertinet Christianos.

[Id. c. vi.]

CUM AD VERNUM

Nicolaus Papa [q]

Cum ad [r]vernum ventum est, ultra sibi nec imperator jura Pontificatus arripuit, nec Pontifex nomen imperatorium usurpavit, [s] quin idem Mediator Dei et hominum, homo Christus Jesus, actibus [t] propriis et dignitatibus distinctis officia potestati utriusque decrevit, propria volens medicinali humilitate sursum efferri, non humana superbia rursus in [u] inferno demergi, [x] *et ut Christiani imperatores pro æterna vita Pontificibus indigerent, et Pontifices pro censu temporalium tantummodo* rerum imperialibus legibus uterentur, quatenus spiritualis actio carnalibus distant incursibus, *et ideo* [y] *militans minime se negotiis sæcularibus implicaret, ac vicissim non ille rebus divinis præsidere videretur, qui esset sæcularibus* [z] *negotiis implicatur.*

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[f] [Synod. Rom. iii. A. 502.]

[g] [Hormisda the deacon, mentioned in the narrative from which this is an extract.]

[h] [*atque*]

[i] [Si quis vero aliquid eorum alienare voluerit,]

[k] [*judicetur*]

[l] [*vel*]

[m] [*qui merito*]

[n] [in Ep. ad Mich. Imper. quæ incipit Præposueram. A. 863.]

[o] [quibus de]

[p] [communis est, quæ]

[q] [The Leipsic Edd. remark that the words are taken from Gelasius de Anathem. Vinculo.]

[r] [*verum*]

[fol. 12. recto]

[Id. c. vii.]

Nicolaus Papa [a]
PAPA DEUS

Satis evidenter ostenditur, a sæculari potestate [b] *nec solvi prorsus, nec ligari Pontificem, quem constat* a pio principe Constantino quem [c] longe superius memoravimus, *Deum appellatum* [d] *eum, nec posse* Deum ab hominibus judicari manifestum est.

[Id. c. ix.]

QUIS DUBI. [See vol. ii. 512. Ans to Dev. Reb.] Principes subsunt sacerdotibus, non contra

GREGORIUS [e]

Quis dubitet sacerdotes Christi regum et principum omniumque fidelium patres et magistros censeri? Nonne miserabilis insania esse cognoscitur, si filius patrem, discipulus magistrum sibi conetur subjugare, et iniquis obligationibus illum suæ potestati subjicere, a quo credit non solum in terra, sed etiam in cœlis se ligari posse et solvi?

[Id. c. x.[f]]

Glossæ duo sunt. Gelasius Papa et Anastasius Imperator contendebant de præeminentia unius ad alterum, et de præeminentia dignitatum. Sed Gelasius ostendit, hoc, quod authoritas pontificalis longe major est, quam culmen imperiale.

Duo sunt quippe, imperator Auguste, quibus principaliter hic mundus regitur: authoritas sacra Pontificum, et regalis potestas. In quibus tanto [g] gravius est pondus sacerdotum, quanto etiam pro ipsis [h] regibus vel legibus hominum in divino sunt reddituri examine rationem. Et post pauca. *Nosti itaque inter hæc ex*

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[s] [*quoniam*]

[t] [sic actibus]

[u] [infernum]

[x] [ut et]

[y] [*militans Deo minime*]

[z] [*negotiis sæcularibas*]

[a] [Nicol. in ep. ad Mich. Imp. &c. ut supra.]

[b] [*nec ligari prorsus, nec solvi posse*]

[c] [quod]

[d] [*appellatum, nec posse*]

[e] [Greg. vii. ep. ad Hermannum Met. Episc. lib. 8. Ep. 21. A. 1080.]

[f] [Gelasius Papa Anast. Imper. But the Leipsic Edd. attribute it to Greg. vii. in the above epistle.]

[g] [*gravius pondus est*]

[h] [So all coll. edd. except Lyons, 1548, and 1564, who read, regiminibus:—regibus hominum: Leips. Ed.]

Pontificatus est principes excommunicare.

illorum te pendere judicio, non illos ad tuam [i]*posse redegi voluntatem.* Talibus igitur institutis, talibusque fulti auctoritatibus plerique Pontificum, alii reges, alii imperatores excommunicaverunt. Nam si speciale aliquod de personis principum requiratur exemplum, *Beatus Innocentius Papa Archadium Imperatorem* (quia consensit, ut S. Johannes Chrisostomus a sua sede pelleretur), excommunicavit. *Beatus etiam Ambrosius, licet sanctus, non tamen universalis ecclesiæ episcopus, pro culpa* [k]quæ ab aliis sacerdotibus non adeo gravis videbatur, *Theodosium magnum imperatorem excommunicans ab ecclesia exclusit;* qui etiam [fol. 12. verso] in suis scriptis ostendit, quod aurum non tam pretiosius sit plumbo, quam regia potestate sit altior [l]ordo sacerdotalis. Hoc modo circa principium sui pastoralis scribens: Honor, fratres, et sublimitas episcopalis nullis poterit comparationibus adæquari. Si regum fulgori compares et principum diademati, longe erit inferius, quam si plumbi metallum ad auri fulgorem compares, *quippe cum videas regum colla et principum submitti genibus sacerdotum, et* [m]*exosculata eorum dextera, orationibus eorum* credant se communicari[n] vel muniri.

[Id. c. xi.]

SI IMPERATOR [See Append. 88 ** Letter to Queen Mary, p. 585.] Seculares non possunt sacerdotes judicare.

Johannes Papa[o]

Si imperator catholicus est (quod salva pace ipsius dicimus) filius est, non præsul ecclesiæ; quod ad religionem competit discere ei convenit, non docere; habet privilegia suæ potestatis, quæ administrandis legibus publicis divinitus consecutus est, ut ejus beneficiis non ingratus contra dispositionem cœlestis ordinis nil usurpet. *Ad sacerdotes enim Deus voluit* [q]*quod ecclesiæ disponenda sunt pertinere, non ad sæculi potestates, quas, si fideles sunt, ecclesiæ suæ sacerdotibus voluit esse subjectas. Non sibi vindicet alienum jus, et ministerium, quod alteri deputatum est,* [r]*neque contra eum* tendat abrumpi, a quo omnia constituta sunt, *et contra illius beneficia pugnare videatur, a quo propriam consecutus est potestatem. Non a legibus publicis, non a potestatibus sæculi,*

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[i] [*redegi posse*]

[k] [quæ aliis]

[l] [dignitas]

[m] [*osculata*]

[n] [So Edd. Lyons, 1548, 1564.—communiri (vel muniri: omitted).]

[o] [The Leipsic Edd. say that the author of this Epistle is unknown, but that it cannot be attributed to John viii.]

[p] [*dixerimus*]

[q] [*quæ*]

[r] [*ne*]

sed a pontificibus et sacerdotibus Omnipotens Deus Christianæ religionis clericos et sacerdotes voluit ordinari, et discuti [s] *et recipi de errore remeantes Imperatores Christiani subdere debent executiones suas, ecclesiasticis præsulibus, non preferre.*

[Id. c. xii.]

NUNQUAM [See vol. ii. 512. Ans. to Dev. Reb.]

Johannes Papa [t]

Nunquam de pontificibus nisi ecclesiam [u] *judicare* debere non esse *humanarum legum de talibus ferre sententiam* absque ecclesiæ principaliter constitutis pontificibus; obsequi solere principes [fol. 13. recto] Christianos decretis ecclesiæ, non suam præponere potestatem; *episcopis caput subdere* [x] *principes solitum est, non de eorum capitibus judicare.*

Principes debent caput subdere episcopis, parere ecclesiæ, non judicare episcopos.

[Id. c. xiv. [y]]

CONSTANTINUS Donatio Constantini.

Constantinus &c. . . . beato Sylvestro et omnibus successoribus [z] ejus de præsenti [a] tradimus palatium imperii nostri Lateranense, deinde diadema, videlicet coronam capitis nostri, simulque [b] frigium, necnon et superhumale, videlicet lorum, quod Imperiale circumdare assolet collum; verum etiam [c] clamidem purpuream, atque tunicam coccineam, et omnia imperialia indumenta; sed [d] etiam dignitatum imperialium præsidentium equitum, [e] conferentes ei, etiam [f] imperialia sceptra, simulque cuncta signa, atque [g] banna, et diversa ornamenta imperialia, *et omnem processionem imperialis culminis et gloriam potestatis nostræ.* Et mox. Decrevimus itaque et hoc, ut *ipse et successores ejus diademate, videlicet corona, quam ex capite nostro illi concessimus, ex auro purissimo et gemmis pretiosis uti* [h] *debeat, pro* [i] *honore Beati*

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[s] [recipique]

[t] [Gelasius ad Episc. Orient. A. 494.]

[u] [judicasse: non esse]

[x] [*principem solitum est, non*]

[y] [The Leips. Edd. remark that the author of this chapter is uncertain; but that it seems to have been compiled long before Pseudoisidor, from the "gesta S. Silvestri," translated from Eusebius.]

[z] [*ejus successibus*]

[a] [So all coll. edd. except Ven. 1482, and 1490: and Lyons, 1515: which read tradidimus.—contradimus: Leips. ed.]

[b] [phrygicum]

[c] [et chlamydem]

[d] [sed et]

[e] [conferentes etiam]

[f] [*et* imperialia]

[g] [banda]

[h] [*debeant*]

[i] [et in capite ad laudem Dei pro honore]

Petri[k]. Ipse vero beatissimus Papa, [l]super coronam clericatus, quam gerit ad gloriam beatissimi Petri, [m]ipsa ex auro non est passus uti corona, [n]phrigium [o]vero, candido nitore splendidum, resurrectionem dominicam designans ejus sacratissimo vertici [*See Appendix No. 88.** p. 591. of this vol.] manibus nostris imposuimus, et **tenentes frenum equi ipsius pro reverentia Beati Petri stratoris officium illi exhibuimus*, statuentes eodem phrygio omnes ejus successores singulariter uti in processionibus ad imitationem imperii nostri. *Unde ut pontificalis apex non vilescat, sed magis quam terreni imperii dignitas gloria et potentia decoretur.* Ecce tam palatium nostrum, [p]quod Ro. urbem, et omnes Italiæ sive occidentalium regionum provincias loca[q] civitates beatissimo [r]pontifici [s]et universali [t]Papæ [u]Sylvestro concedimus atque relinquimus, et ab eo et a successoribus ejus [x]per pragmaticum constitutum decernimus disponenda, [fol. 13. verso] atque juri sanctæ Ro. ecclesiæ concedimus [y]permanenda. Et mox. *Quoniam ubi principatus sacerdotum et Christianæ religionis caput ab imperatore cœlesti constitutum est, justum non est, ut illic imperator terrenus habeat potestatem.* Hæc vero omnia, quæ per hanc[z] imperialem sacram, et per alia divalia decreta statuimus et[a] [b]confirmamus, usque in finem mundi illibata et inconcussa permanere decernimus.

[fol. 13. verso] Di. 97.

HOC CAPITULO [See vol. ii. 512. Ans. to Dev. Reb.] Laici non debent decernere de rebus ecclesiasticis. Gratianus

Hoc capitulo patentur ostenditur, quod nec imperatori, nec cuilibet laico licet decernere vel de electione Pontificis, vel de rebus ecclesiasticis. Quæcunque autem ab eis constituta fuerint, pro infectis habenda sunt, *nisi subscriptione Romani Pontificis fuerint roborata.* Unde illud Honorii Augusti, ut supra dictum est, vanum esse videtur, quod contra aucthoritatem sacrorum canonum de electione summi Pontificis decernere tentaverit. Sed sicut ex eodem capitulo habetur, *ecclesias precibus imperator in præsumptores valet decernere,* sicut pro defensione fidei quondam decrevisse leguntur, ne hæretici aliquid nomine ecclesiæ possiderent. *Ab ea autem non invitati de rebus ecclesiasticis aliquid disponendi non habent facultatem.* Honorius vero Augustus non sua authoritate, sed Beato Bonifacio supplicante, ecclesiasticæ quieti consulere et concertantium ambitionem punire curavit.

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[k] [Petri gestare.]

[l] [quia super]

[m] [omnino ipsa]

[n] [*nos* phrygium]

[o] [phrygium candido]

[p] [ut prædictum est, *quam* Romanam]

[q] [*loca et civitates præfato beatissimo*]

[r] [Pontifici nostro]

[s] [*Silvestro universali*]

[t] [*Papæ* contradimus]

[u] [contradimus]

[x] [per hanc divalem nostram et pragmaticum] [y] [permansura]

[z] [hanc nostram imperialem]

[a] [*atque*]

[b] [So Edd. Bas. 1481 : and Lyons, 1548 and 1564.—confirmavimus : Leips. ed.]

1. Q. 1. [c. 84.]

MULTI Multi sæcularium &c. *Misterium* itaque, fratres, ob hoc GREGO.[c] dicitur, quod secretam et reconditam habeat dispensationem; *sacrificium* autem, quasi sacrum factum, quia prece mistica consecretur[d] pro nobis in memoriam dominicæ passionis. *Sacramentum* vero est in aliqua celebratione, cum res gesta ita sit, ut aliquid [e]sanctitate accipiamus, quod sancte accipiendum est. [fol. 14. recto] *Sunt autem sacramenta: baptisma, chrisma, corpus et sanguis Christi,* quæ ob id sacramenta dicuntur, [f]sub tegumento corporalium rerum divina [g]virtus secretius salutem eorundem sacramentorum operatur. Unde et a secretis virtutibus vel sacris sacramenta dicuntur. Quæ ideo fructuosæ penes ecclesiam fiunt, quia sanctus in ea manens Spiritus eorundem sacramentorum latentur operatur effectum: cujus panis et calicis sacramentum Græce eucharistia dicitur, Latine bona gratia interpretatur. Et quid melius corpore et sanguine Christi? [h]*Sive ergo per bonos, sive per malos ministros* [i]*intra ecclesiam Dei dispensetur, Sacramentum* tamen est, quia Spiritus Sanctus mistice illud vivificat, qui quondam apostolico in tempore visibilibus apparebat operibus. *Nec bonorum meritis dispensatorum amplificatur, nec malorum attenuatur,* quia neque qui plantat est aliquid, neque qui rigat, sed qui incrementum dat Deus. Hoc de corpore et sanguine Domini nostri Jesu Christi. Hoc etiam de baptismate et [k]carismate sentiendum est et [l]tenendum est, *quia virtus divina secretius operatur in eis, et divina solummodo hæc est virtus sive potestas, non humanæ efficaciæ.*

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[c] ["Auctor capitis, quem investigare non contigit, in priori parte, usque ad § 2. [Mysticum itaque] Gregorium M. in Pas. p. 3. adm. 5. et Mor. p. 15. e. 16 imitatus est." Leips. Edd.]

[d] [*consecratur*]

[e] [significare intelligatur: Leips. Ed.—significatæ rei: Ed. Bas. 1481: significative: Ed. Strasb. 1471.—significate: the other Edd.]

[f] [*quia sub*] [g] [*virtus divina*]

[h] [Unde sive per]

[i] [Dei ecclesiam]

[fol. 14 recto] [Id. c. xciv.] AUGUSTI[m]

INTERROGO

Verbum Christi non minui diligentia accipiendum est, quam corpus Christi.

Interrogo vos, fratres vel sorores, dicite mihi, [n]quid plus *videtur* vobis, *corpus Christi an verbum Christi?* si [o]vultis vera reddere, [p]hoc dicere debetis, quod non *sit minus Dei* [q]*verbum quam Christi corpus.* Et ideo, quanta solicitudine observamus, quando nobis Christi [r]corpus ministratur, ut nihil ex ipso de nostris manibus in terram cadat, tanta solicitudine observemus, ne verbum [s]Domini, quod nobis erogatur, dum aliud aut cogitamus, aut loquimur, de [t]corde puro pereat, *quia non minus erit* [u]*reus qui verbum Dei negligenter audierit, quam ille, qui corpus* [v]*Christi sua negligentia in terram cadere permiserit.*

[fol. 14 verso] [Id. c. cxx.] Gregorius[x]

PUERI AD

Pueri ad sacros ordines nullatenus admittantur, ne tanto periculosius cadant, quanto citius conscendere ad altiora festinant. Nulla sit in ordinatione venalitas; potentia vel supplicatio personarum nihil adversus hæc, quæ prohibemus, obtineat. Nam proculdubio Deus offenditur, si ad sacros ordines quisquam non ex merito, sed ex favore (quod absit) [y]aut venalitate provehitur.

1. Q. 2. [c. vi.] Hierous[z]

CLERICOS

Clericos autem illos convenit ecclesiæ stipendiis sustentari, quibus parentum et propinquorum nulla suffragantur bona. Qui autem bonis parentum et opibus suis sustentari possunt, si quod pauperum est accipiunt, sacrilegium profecto committunt, et per abusionem talium juditium sibi manducant et bibunt.

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[k] [*chrismate*]

[l] [*tenendum, quia*]

[m] [Lib. i. homiliar. hom. 26.—The Leipsic editors consider this sermon as spurious.]

[n] [*quid vobis plus esse videtur, verbum Dei, an corpus Christi*]

[o] [*si verum vultis respondere,*]

[p] [hoc utique dicere]

[q] [*verbum Dei quam corpus Christi*]

[r] [*Corpus Christi*]

[s] [*Dei*]

[t] [corde nostro pereat]

[u] [reus erit]

[v] [Christi in terram cadere negligentia sua permiserit.]

[x] [Epist. 48. ad Columb. Episc. A. 593.]

[y] [*aut ex venalitate*]

[z] [Ad Damasum Papam. "Caput incertum."—Leips. ed.]

[Id. c. [b]vii.] Prosper [a]

Pastor Pastor ecclesiæ his quibus sua sufficiunt, non debet aliquid erogare, quando nihil aliud sit habentibus dare quam perdere. Nec illi, qui sua quidem possidentes dari sibi aliquid volunt, sine grandi peccato suo unde pauper victurus erat accipient. De clericis quidem [c]dicit Spiritus Sanctus: Peccata populi mei comedunt. Sed sicut nihil habentes proprium, non peccata sed alimenta quibus indigere videntur, accipiunt, ita possessores non alimenta quibus abundant, sed aliena peccata suscipiunt. Verum Gratianus his authoritatibus prohibentur ab ecclesia suscipi non illi, qui quondam fuerunt divites sed [d]postea omnia reliquerunt, ut Petrus et Matthæus et Paulus, aut pauperibus distribuerunt, ut Zachæus, aut ecclesiæ rebus adjunxerunt, sicut illi, qui prædia sua vendentes ponebant pretia ante pedes apostolorum, ut essent illis omnia communia: sed illi, qui in domibus parentum residentes vel sua relinquere nolentes ecclesiasticis facultatibus pasci desiderant.

[fol. 15 recto] [Id. c. viii.] Prosper

Si quis Si quis propter hoc sua [e]relinquere non vult, ut habeat unde vivat, ut quid accipit, unde rationem reddat? ut quid de peccatis alienis sua multiplicat? Non est meum dicere, [f]quale [g]peccatum est, qui cibos pauperum præsumendo suscipiunt, qui ecclesiam, quam juvare de propriis facultatibus debuerant, suis expensis insuper gravant, propter hoc fortassis in congregatione viventes, ne aliquos pauperes pascant, ne advenientes excipiant, aut ne suum censum quotidianis [h]expensis minuant. Quod si aliquid de fructibus suis ecclesiæ velut pro ipsa expensa sua contulerint, non se præferant inani jactantia illis, quos nihil habentes pascit et vescit ecclesia, [i]quia profecto perfectior est ille, qui se mundi rebus expoliat, aut qui, cum nihil habuerit, nec habere desiderat, quam ille, qui ex multis quæ possidet ecclesiæ aliquid [k]præstiterit, ac se de eo, quod præstiterit, forsitan jactat. Ecce, qui prohibentur ab ecclesia suscipi. Illi vero, [Gratianus] qui omnia sua relinquunt, vel pauperibus distribuunt, vel ecclesiæ rebus adjungunt, et ab ecclesia laudabiliter suscipiendi sunt, et ejus opibus sustentandi.

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[a] [De Contempl. vita, lib. ii. cap. 9 et 10.—But according to the Leipsic editors, Julianus Pomerius. Cf. Conc. Aquisgr. c. 107.]

[b] [iis]

[c] [dicit per Prophetam Spiritus]

[d] [*postea vero*]

[e] [non vult sua relinquere]

[f] [quale peccatem facient: Ed. Bas. 1481. quale peccatem est illis: Ed. Lyons, 1548, 1564. quale peccatum est: the other edd. quali peccato: Leips. ed.]

[g] [peccato cibos]

[h] [*expensis quotidianis imminuant.*]

[i] [quia perfectior]

[Id. c. ix.] PROSPER

SACERDOS Sacerdos, cui dispensationis cura commissa est, non solum sine cupiditate, sed etiam cum laude pietatis accipit a populo dispensanda, et fideliter dispensat accepta, quia omnia sua aut parentibus reliquit, aut pauperibus distribuit; aut ecclesiæ rebus adjunxit, et se in numero pauperum paupertatis amore constituit; [l]ut unde pauperibus subministrat, inde et ipse tanquam pauper voluntarius vivat. Clerici quoque, quos [m]pauperes nativitas fecit, cum perfectione virtutis vitæ necessaria, sive in domibus suis, sive in congregatione viventes accipiant, quia ad [fol. 15 verso] ea accipienda non [n]eos [o]cupiditas durit, sed [p]vivendi necessitas cogit. [q]De talibus videtur Apostolus,—Qui in sacrario operantur quæ de sacrario sunt edant, et qui in altario deserviunt [r]de altario [s]participent. Qui, nisi hoc de contemptoribus [t]suarum facultatum vellet intelligi, nunquam secutus adjungeret: Ita et Deus ordinavit hiis, qui evangelium annunciant, de evangelio vivere. De evangelio vivunt qui nihil [u]habere proprium volunt; qui nec habent, nec habere aliquid concupiscunt, non suorum, sed communium possessores. Quid est aliud de evangelio vivere, nisi laborantem inde, ubi laborat, necessaria vitæ percipere? Apostolus tamen, qui sic [x]prædicabat evangelium, [y]ut necessaria sibi suis manibus ministraret, de se confidenter [z]loquitur; Ego autem nullo horum usus sum. Et quare [a]dixerit, secutus aperuit, dicens; Expedit mihi [b]magis mori quam ut gloriam meam quis evacuet. [c]Evacuare dicit gloriam suam, si ab eiis, quibus prædicabat, voluisset accipere vita temporalis expensam. Nolebat quippe in re præsenti laboris sui fructum, [d]scilicet in futuro recipere.

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[k] [So all coll. ed. exc. Strasb. 1471. præstat: Leips. ed.]

[l] [ita ut]

[m] [pauperes aut voluntas aut nativitas]

[n] [eos habendi]

[o] [*ducit cupiditas*]

[p] [*cogit vivendi necessitas*]

[q] [talibus dicere videtur]

[r] [So all coll. edd. exc. Bas. 1481. cum altario.]

[s] [So all coll. edd. exc. Bas. 1481. participent Ed. Bas. 1481. participant Leip. ed.]

[t] [*facultatum suarum*]

[u] [*proprium habere*]

[x] [*evangelium prædicavit*]

[y] [ut nec de evangelio viveret, sed necessaria]

[z] [*eloquitur*]

1. Q. 7. [c. v.]

Leo papa[e]

Gratianus

EQUIRITIS

Requiritis: et paulo post: Nisi rigor disciplinæ quandoque relaxetur ex dispensatione misericordiæ. *Multorum enim crimina sunt damnabilia, quæ tamen ecclesia tolerat pro tempore, pro persona, intuitu pietatis, vel necessitatis, sive utilitatis, et pro eventu rei.*

I QUIS
See vol. ii.
. 512. Ans.
Dev. Reb.
nd Appendix
this vol.
o. 88 **
etter to Q.
ary, p.585.]
ausam inter
lericum et
icum Epi-
opus finiat.

2ª Q [f]4. [Quæst. v. c. iv. so in the Corpus Jur. Can.]

Ex concilio Triburiensi. Si quis Presbiter contra laicum, vel laicus contra presbiterum aliquam habet quærimoniæ controversiam, episcopo præcipiente sine personarum acceptione finiatur, [g]laicus per juramentum (si necesse sit) se expurget; presbiter vero vice juramenti per sanctam consecrationem interrogetur, quia sacerdotes ex levi caussa jurare non debent.

D ROMA-
AM
o. Pon. om-
s judicat,
sum nemo.

Marcellus
Papa[h]

2. Q. 6. [c. viii.]

Ad Romanam ecclesiam ab omnibus, (maxime tamen ab oppressis,) [i]est appellandum, et concurrendum quasi ad matrem, ut ejus uberibus nutriantur, authoritate defendantur, [k]a suis oppressionibus releventur, quia non potest nec debet mater oblivisci filium suum.

ECRETO
ihil decer-
tur contra
m quem
o. Pont. ap-
llavit.

GREGORIUS[l]

[Id. c. xi.]

Decreto nostro etc. Nihil prius de eo, qui ad sinum sanctæ ecclesiæ Ro. confugit et ejus implorat auxilium, decernatur, quam ab ejusdem ecclesiæ authoritate fuerit præceptum, quæ vires suas ita aliis impertivit ecclesiis, ut in partem sint vocatæ solicitudinis, non in plenitudinem potestatis. Si autem (quod non arbitramur) a quoquam secus præsumptum fuerit, ab officio cleri submotus authoritatis apostolicæ reus ab omnibus judicetur, ne lupi, qui sub specie ovium subintraverunt, bestiali sævitia [m]quosdam audeant lacerare, et quod sibi fieri nolunt aliis inferre præsumant.

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[a] [hoc dixerit]

[b] [*mori magis*]

[c] [*Evacuari*]

[d] [*sed in*]

[e] [Liv. iv. Episc. Britanniæ. A. 850.]

[f] [c. 21. A. 895.]

[g] [et laicus]

[h] [The Corpus Jur. Can. assigns this to Zephyrinus Epist. 1. The Abp. probably confounded this passage with c. vi. just preceding, which begins with the same words, and was attributed to Marcellus.]

[i] [*appellandum est*]

[k] [*et a*]

[l] [omnibus per div. prov. A. 832.]

ACCUSATIO Episcopi ferendi sunt, non judicandi.

[2. Q. 7. c. xv.] ANACLETUS

Accusatio quoque etc. *Unde liquet, quod summi sacerdotes, id est episcopi, a Deo sunt judicandi, non ab humanis, aut pravæ vitæ hominibus lacerandi, sed potius ab omnibus fidelibus portandi, ipso Domino* exemplum dante, quando per se ipsum, et non per alium vendentes et ementes ejecit de [o]templo sacerdotes. Nullus enim (ut reor) invenitur [p]inter illos, qui velit [q]servum suum ab alio quam a se judicari. Quod si præsumptum fuerit, aut multa [r]indignatione ipse irascitur, aut potius [s]vindictam quærit super eum. Unde et [t]Dominus ait per Prophetam: Qui vos [u]tangit, me tangit et tangit pupillam oculi mei. *Et paulo post:* Si detractores quorumcunque graviter judicantur, et in perditionis laqueum cadunt, multo magis laceratores et detractores atque [x]accusatores [y]famulorum Dei damnantur, et in barathrum (nisi [z]correxerint, et per eorum satisfactionem condignam egerint pœnitentiam, indubitanter cadunt, et vindicibus flammis exuruntur. Hæc et alia periculosa considerantes apostoli [a]constituerunt, ne [fol. 16 verso] facile commoverentur, aut lacerarentur, vel accusarentur columnæ [b]ecclesiæ Dei, qui apostoli et successores eorum non immerito dicuntur. *Sed si quis adversus eos vel ecclesias eorum commotus fuerit aut caussas habuerit, prius ad eos recurrat charitatis studio, ut familiari colloquio* [c]*ea sanent commoti, quæ sananda*

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[m] [*quosque*]

[n] [ad Episc. Ital. epist. ii.]

[o] [*sacerdotes* omitted.]

[p] [*inter nos*]

[q] [suum servum]

[r] [*ipse indignatione*]

[s] [ultionem]

[t] [*per prophetam inquit*]

[u] [*tangit, tangit pupillam*]

[x] [accusatores memoratorum]

[y] [*Dei famulorum atque persecutores damnantur*]

[z] [*se correxerint*]

[a] [*statuerunt*]

[b] [*sanctæ Dei ecclesiæ, quæ*]

[c] [*commoniti ea sanent*]

sunt, et charitative emendent quæ juste emendanda agnoverint. Si autem aliqui eos prius, quam hoc egerint, lacerare, accusare [d]vel infestare præsumserint, excommunicentur et minime absolvantur, antequam per satisfactionem (ut jam dictum est) condignam [e]pœnitentiam egerint, quoniam injuria eorum ad Christi pertinet, cujus legatione funguntur.

[ad Episcopos Italiæ. Epist. ii.]

3 Q 6. [c. ix.]

DUDUM

Papa est judex omnium, et a nemine debet judicari.

[f] Julius Papa

Dudum a sanctis Apostolis successoribusque eorum in antiquis decretum [g]est statutis, (quæ hactenus sancta et universalis apostolica tenet ecclesia,) non [h]oportere præter [i]conscientiam Ro. Pon. concilia celebrari [k]vel episcopum damnari, quoniam sanctam Ro. ecclesiam primatum omnium ecclesiarum esse voluerunt; et sicut beatus Petrus apostolus primus fuit omnium apostolorum, ita et [l]ecclesia suo nomine consecrata (Domino instituente) [m]prima sit, et caput sit ceterarum, *et ad eam quasi ad matrem atque apicem omnes majores ecclesiæ caussæ et judicia episcoporum recurrant, et juxta ejus sententiam terminum sumant, nec extra Ro. quicquam ex his* [n]*decerni deberi Pontificem.*

7 Q 1. [c. vii.]

SCIRE

[o] CYPRIA

Scire debes episcopum in ecclesia esse, ut ecclesiam in episcopo, et si quis cum episcopo non sit, in ecclesia non esse, et frustra sibi blandiri eos, qui pacem cum sacerdotibus Dei non habentes obrepunt, et [p]latenter apud [q]quosdam se communicare credunt, quando ecclesia, quæ catholica una est, scissa non sit neque divisa.

9. Q. 3. [c. viii.]

ONQUESTUS

[r] NICOLAUS

Conquestus est &c. Primates enim vel patriarchas nihil privilegii habere præ ceteris episcopis, nisi quantum sacri canones concedunt et prisca consuetudo illis antiquitus contulit, diffinimus, ita ut secundum Nicænas regulas sua privilegia serventur ecclesiis, *præterquam si apostolica sedes aliquam ecclesiam, vel ipsius rectorem quolibet speciali privilegio decreverit honorare.*

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[d] [*aut*]

[e] [egerint pœnitentiam]

[f] [Orientalib. Episc. ep. i.]

[g] [*fuerat*]

[h] [oportere]

[i] [So all coll. edd. except. Bas. 1481.—sententiam.]

[k] [nec]

[l] [*hæc ecclesia*]

[m] [*prima et caput*]

[n] [*debere decerni*]

[o] [ad Florentium Puppianum, vel Papinianum, vel Papianum; lib. iv. ep. 9.]

[p] [latentes]

[q] [*communicare se credunt*]

[r] [Radulpho Bitur. Archiep. A. 864.]

[s] [Id. c. ix.]

Episcopo [See vol. ii. p. 508. Ans. to Dev. Reb.]

Gratianus

Episcopo scribit; et mox. [t] *Sola est Ro. ecclesia quæ sua auctoritate valet judicare de omnibus: de ea vero nulli judicare permittitur.*

[Id. c. x.]

Patet

Nicolaus[u]

Patet profecto sedis apostolicæ cujus auctoritate [x] majus non est judicium a nemine fore retractandum, *neque cuiquam de ejus* [y] liceat judicare judicio.

[9 Q. 3. c. xiii[z]]

Nemo

Ar. Glossa

Consilium papam judicare non potest.

Nemo judicabit primam sedem justitiam temperare desiderantem, *neque enim ab Augusto, neque ab omni clero, neque a regibus, neque a populo judex judicabitur.* [a] *Consilium non potest papam judicare, ut* [b] *ex. de cler. significasti. Unde si totus mundus* [c] *juraret in aliquo negotio contra papam, videtur quod sententiæ papæ standum esset.*

[Id. c. xiv.]

Aliorum

Romanus pon. a solo Deo judicandus.

Soli Petro datæ sunt claves.

[d] Symmachus

Aliorum hominem caussas [e] *voluit Deus per homines terminari, sed sedis istius præsulis suo sine quæstione reservavit arbitrio. Voluit Beati Petri apostoli successores* cœlo tantum debere innocentiam, et subtilissimi discussoris indagini inviolatam [f] habere conscientiam. [g] Nolite existimare, eas animas inquisitionis non habere formidinem, quas Deus præ ceteris suo reservavit examini. Non habet apud illum reus de allegationis nitore subsidium, quando ipsorum factorum utitur eo teste quo judice. [fol. 17 verso] [h]Tu dices forsitan, omnium animarum talis erit ni illa disceptatione conditio. Replicabo, uni [i]dictum est, *Tu es Petrus, et super hanc petram ædificabo ecclesiam* [k]*tuam, et quæcunque solveris super* terram erunt soluta et in [l]cœlo.

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[s] [Beda sup. Apocal. c. ii. v. 1.]

[t] [*Sola enim Romana ecclesia sua*]

[u] [ad Michael. Imperat. A. 865.]

[x] [major]

[y] [licere]

[z] [Ascribed to Innocent in ancient copies: but by the collectors and Leipsic editors assigned to c. 20 of the Roman council held under Sylvester.]

[a] [The gloss (not in the Leipsic ed.) begins here.]

[b] [extra.]

[c] [sententiaret]

[d] ["Imo ex apolog. Ennodii pro Syn. Rom. iv."—Leips. ed.]

[e] [*Deus voluit homines terminare*]

[f] [exhibere]

[g] [*æstimare*]

[Id. c. xv.]

FACTA

[m] Antherius Papa.

Facta subditorum judicantur a nobis: nostra vero [n]a Deo judicantur. Deteriores sunt qui vitam moresque bonorum corrumpunt, his qui substantias [o]alias prædiaque diripiunt.

[Id. c. xvi.]

PSI SUNT

[p] Gelasius

Ipsi sunt canones, qui appellationes totius ecclesiæ ad [q]hujus sanctæ sedis examen voluerunt deferri. Ab ipsa vero nusquam prorsus [r]appellare debere sanxerunt, ac *per hoc illam de tota ecclesia judicare, ipsam, ad nullius commeare judicium, nec de ejus unquam præceperunt judicio judicari, sententiamque* [s]*ejus constituerunt non oportere dissolvi, cujus potius* [t]*sequenda decreta mandaverunt.*

[Id. c. xvii.]

UNCTA

[u] Gelasius

Cuncta per mundum *novit ecclesia, quod sacrosancta Ro. ecclesia phas de omnibus habeat judicandi, neque cuiquam de ejus licuit* [x]*judicari judicio.* Siquidem ad illam de qualibet mundi parte appellandum est; ab illa autem nemo est appellare permissus. Sed nec illa præterimus, quod *apostolica sedes sine ulla synodo præcedente et solvendi quos synodus inique damnaverat, et damnandi, nulla* [y]*existente, quos oportuit* [z]*habuerit facultatem,* et hoc nimirum pro suo principatu, quem Beatus Petrus apostolus Domini voce et tenuit semper et tenebit.

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[h] [So ed. Bas. 1481. Par. 1506. Lyons, 1515, 1548, 1564.—Dicas: ed. Leips.]

[i] [*dictum: Tu.*]

[k] [*meam*]

[l] [*cœlis*]

[m] [Anterus ad Episc. provinc. Bœtic. et Tolet.]

[n] [a Domino judicantur. all coll. edd.—judicat Deus]

[o] [*aliorum*]

[p] [ad Faustum legatum A. 493.]

[q] [*hujus sedis*]

[r] [So all coll. edd. except Lyons, 1548, 1564.—appellari: Leips. ed.]

[s] [*illius*]

[t] [decreta sequenda]

[u] [Ep. ad episc. per Dardaniam constit. A. 498.]

[x] [*judicare*]

[y] [*existente synodo, quos*]

[z] [*habuit*]

[Id. c. xviii.]

[a] Cuncta per mundum novit ecclesia, quoniam quorumlibet sententiis ligata pont. sedes Beati Petri apostoli jus habeat resolvendi, utpote quæ de omni ecclesia fas habeat judicandi. ib. GELASIUS PAPA

[fol. 18 recto] C. 11. Q. 1. [Causa xi. ad initium]

CLERICUS

Clericus adversus clericum quæstionem de prædiis agitavit,[b] quem ad civilem judicem producere voluit reus non nisi ante judicem ecclesiasticum stare volebat. Actor vero potentia civilis judicis illum a possessione sua dejecit. Quo audito episcopus eum ab officio suspendit; ille contempta episcopi sententia officium suum [c]ministravit. Hoc comperto Episcopus sine spe restitutionis in eum sententiam dedit. Hic primum quæritur, utrum clericus ante civilem judicem sit producendus? Secundo, si producendus non est, an hæc culpa sit digna suspensione? Tertio, si digna non fuerit, an contemptorem sententiæ sui Episcopi irreparabiliter oporteat deponi? Gratianus

Quod Clericus NEMO Laici non debent clericos judicare. [See Append. to this vol. No. 88** Letter to Q. Mary. p. 585.]

[Id. Q. 1.]

Quod clericus apud sæculares judices *accusandus non sit, Caius*[d] *Papa scribit dicens, Nemo unquam* [e]*episcopum* [f]*aut reliquos clericos apud judicem secularem accusare præsumat.* Caius Papa

NULLUS [See Append. to this vol. No. 88** Letter to Q. Mary. p. 585.]

[Id. c. ii. Palea]

Nullus judicum neque presbyterum, neque diaconum, aut clericum ullum, aut [g]*ecclesiæ juniores sine licentia pon. per se distringat, aut condemnare præsumat.* Quod si fecerit, ab ecclesia, cui injuriam irrogare dinoscitur, tamdiu sit sequestratus, quousque reatum suum agnoscat, et emendet. Palea

CLERICUM [See Append. to this vol. No. 88** Letter to Q. Mary. p. 585.]

[Id. c. iii.]

Clericum cujuslibet ordinis absque pontificis sui permissu nullus[h] Marcellus Papa

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[a] [This extract is in the margin.]

[b] [*agitavit*]

[c] [*administravit*]

[d] [Epist. ad Felicem Episc. c. 2.]

[e] [*episcopum apud judicem sæcularem aut* alios *clericos accusare*]

[f] [alios]

[g] [*juniores ecclesiæ*]

[h] [Marcellinus Papa Ep. ii. Cf. Conc. Aurel. iii. c. 32.]

præsumat ad sæcularem judicum attrahere, nec laico quemlibet clericum liceat accusare.

[Id. c. iv.]

JUDICES

[i] Ex concilio Nicæno.

Judices [k]autem esse non [l]debent, nisi quos ipse, qui impetitur, eligerit, aut quos [m]suo consensu hæc sancta se. aut ejus primates authoritate hujus sanctæ sedis delegaverint. Item Valentinianus, Theodosius, et Archadius Imperatores.

[fol. 18 verso]

[Id. c. v.]

CONTINUA
Episcopi a nemine sunt judicandi.
[See vol. ii. 512. Ans. to Dev. Reb.]

[n] CONSTAN.

Continua lege &c. *Vos a nemine dijudicari potestis, quia ad Dei solius judicium reservamini.*

[Id. c. viii.]

NULLUS EPISCOPUS
[See vol. ii. 512. Ans. to Dev. Reb.]

[o] Marcellus Papa.

Nullus episcopus neque pro civili neque pro criminali causa apud quemvis judicem, sive civilem sive militarem producatur vel exhibeatur. Magistratus enim, [p]hoc jubere ausus fuerit, [q]amissione rerum et cinguli condemnatione plectetur.

[Id. c. vii.]

QUÆCUNQUE BONIFACIUS
Omnes lites terminandæ sunt apud viros ecclesiasticos.

[r] Bonifacius

Quæcumque contentiones inter Christianos [s]oriuntur, ad ecclesiam deferantur, et ab ecclesiasticis viris terminentur. Et si obedire noluerint, quousque obediant a liminibus ecclesiæ excludantur.

[Id. c. vi. de eodem.]

NULLUS CLERI
[See Append. o this vol. No. 88** Letter to Q. Mary. p. 585.]

[t] Ex concilio Matinen. Clericus non trahet clerum ad judicium seculare.

Nullus clericus alium [u]clerum ad judicium sæcularem accusare, aut ad caussam dicendam trahere quocunque modo præsumat,

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[i] [The collectors remark that this canon is not extant in the Nicene council.]

[k] [autem alii esse: Leips. ed.—"alii" is wanting in all the coll. edd. except Bas. 1481.]

[l] [debent, quam quos]

[m] [suo cum consensu]

[n] [in Syn. Nic. see above, c. iv.]

[o] [Ascribed to Bonifacius ad Episc. Galliæ. c. 10. Nov. 115. in the Corp. Jur. Can.—The collectors remark that it had been ascribed to Marcellus, but to Boniface in the ancient MSS. of Gratian, &c.]

[p] [qui hoc]

[q] [amissionis cinguli condemnatione]

[r] [Ascribed by the collectors to Marcellinus Ep. ii. ad Episc. Orient.]

[s] [ortæ fuerint]

[t] [Concil. Matiscon. i. c. 8. A. 583.]

[u] [*clericum*]

sed omne negotium clericorum aut in episcopi sui, [x]*presbyterorum cum* archidiaconi *præsentia finiatur.*

TESTIMONIUM. Clericus non est examinandus, nisi in ecclesia. [See vol. ii. 512. Ans. to Dev. Reb.]

[Id. c. ix.]

Testimonium clerici etc., *nemo clericum quemlibet in publico examinare præsumat nisi in ecclesia.*

[y] SYLVESTER

[Id.]

Episcopus non est admittendus in testem.

Et mox : *Episcopum ad testimonium dicendum admitti non decet, nam et persona* [a]*inhonoratur, et dignitas sacerdotis excepta* [b]*confunditur.*

[z] THEODOSIUS

[Id. c. xiv.]

RELATUM Laici non debent judicare clericos, sed Clerici laicos. [See vol. ii. 512. Ans. to Dev. Reb.] [fol. 19 recto]

Relatum est ad hujus sanctæ et apostolicæ sedis apicem, cui summarum dispositiones causarum et omnium negotia ecclesiarum ab ipso Domino tradita sunt, quasi ad caput, (ipso [d]dicente). Tu es Petrus, et super hanc petram ædificabo ecclesiam meam, *quod quidam æmuli Christi, ejusque sanctæ ecclesiæ insidiatores, sacerdotes Dei ad judices publicos accusare præsumant, cum magis apostolus Christianorum caussas ad ecclesias deferri, et ibidem terminari* [e]*præcipiat.* Quoniam aliter prævericantes [f]prevericaverunt in Deum suum, et non obediunt præceptis ejus.

[c] ALEXANDER

[Id. c. xv.]

EXPERIENTIÆ [See vol. ii. 512. Ans. to Dev. Reb.]

Experientiæ &c. [h]*In his vero negotiis, in quibus ecclesiastici officii persona pulsatur, totius submoto pulsationis obstaculo,* [i]*ad judicium episcopi vel præsbyterorum, in loco, ubi quæstio vertitur, constitutorum, occurrat indifferenter examen.*

[g] PELAGIUS

[Id. c. xvi.]

SI QUISQUAM [See vol. ii. 512. Ans. to Dev. Reb.]

Si quisquam &c. *Si quis autem laicus clericum cujuscunque gradus duxerit esse pulsandum, ad episcoporum judicium in eadem*

[k] PELAGIUS

[x] [*aut presbyterorum*]

[y] [in Synod. Rom. c. 14. ex apocr. Const. Sylv.]

[z] [Cod. Theod. l. i. t. 3. c. 7.]

[a] [So edd. Bas. 1481, and Lyons, 1515, 1548, 1564.—dehonoratur.]

[b] [*confundetur*]

[c] [omnibus orthod. Ep. i. c. 1.]

[d] [*dicente principi apostolorum Petro : Tu.*]

[e] [*præcipiat. Taliter*]

[f] [prævaricati sunt]

[g] [Benegesto Defensori.]

[h] [*iis*]

[i] [*ad episcopi*]

[k] [Sergio Cancellario]

civitate vel territorio constitutorum proponat eas, quas se habere existimat, actiones. Quem ordinem legibus per omnia convenientem atque consentaneum demonstrari, illa regula manifestat, quæ præcepit [l]actorem rei forum semper sequi pulsati. Clericis vero pulsatis in episcopali judicio forum competere, principalium quoque sanctionem designat authoritas.

[Id. c. xvii.]

CLERICUM NULLUS

[m] Ex consilio Agathen

Clericum nullus præsumat apud sæcularem judicem Episcopo non permittente pulsare; sed, si pulsatus fuerit, non respondeat, vel proponat, nec audeat criminale negotium in sæculari judicio proponere.

[Id. c. xxvi.]

SI QUÆ [See vol. ii. 512. Ans. to Dev. Reb.] [fol. 19 vero]

[n] INNOCEN

* [Gratianus]

Si quæ causæ vel contentiones inter clericos, [o]et laicos tam superioris ordinis quam etiam inferioris fuerint exortæ, placuit, ut secundum [p]Nicænam synodum congregatis omnibus ejusdem provinciæ episcopis judicium terminetur. * *Cum ergo his omnibus authoritatibus clerici ante civilem judicem denegentur producendi, cum (nisi prius depositi, vel nudati fuerint,) curiæ non sunt repræsentandi, patet, quod ad sæcularia judicia clerici non sunt protrahendi.*

[Id. c. xxx.]

SICUT ENIM Sententia Gratiani. [See vol. ii. p. 512. Answ. to Dev. Reb.]

[q] CLEMENS

Sicut enim etc. Ex his omnibus datur intelligi, quod in civili caussa clericus ante civilem judicem conveniendus est. Sicut enim ecclesiasticarum legum ecclesiasticus judex est administrator, Ita et civilium non nisi civilis debet esse exsecutor. Sicut enim ille solus habet jus interpretandi canones, qui habet potestatem condendi eos, ita ille solus civilium legum debet esse interpres.

In criminali causa clericus non est examinandus ante civilem udicem.

In criminali vero caussa non nisi ante episcopum est clericus examinandus. Et hoc est illud, quod legibus et canonibus supra diffinitum est, *ut in criminali videlicet caussa ante civilem judicem nullus clericus producatur, nisi forte cum consensu episcopi sui, vel-*

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[l] [*actorem forum*]

[m] [c. 32. a. 596.]

[n] [ad Victricium Rothomag. epist. ii. c. 3. A. 404.]

[o] [*vel inter laicos et clericos tam*]

[p] [Synodum Nicænam]

[q] [Ep. Clem. i.—quam Rufinus Latinam fecit.—Leips. ed.]

uti, quando incorrigibiles inveniuntur, tunc detracto eis officio curiæ tradendi sunt.

[Id. c. xxxi.]

STATUIMUS

Neque in criminali neque civili caussa trahendus est clericus ad judicem civilem. [See vol. ii. p. 512. Answ. to Dev. Reb.]

[r] Fabianus [Gratianus]

Statuimus, ut, si etc. Quia ergo iste non in criminali, sed in civili caussa clericum ante civilem judicem produxit, non est judicandus transgressor canonum, nec est dicendus pertraxisse reum ad judicem non suum, quia de civili causa non nisi judex civilis cognoscere debet. Et [s] contra ea, quæ in actoris defensione dicta sunt, verisimilia quidem videntur, sed pondere carent. [fol. 20. recto] *Sacris enim canonibus et forensibus legibus tam in civili quam in criminali caussa clericus ad civilem judicem pertrahendus negatur.*

[Id. c. xxxii.]

SI QUI

Omnes causæ judicandæ sunt apud presbyteros

[t] CLEMENS

Si qui ex fratribus negotia habent inter se, apud cognitores sæculi non judicentur, sed apud presbyteros ecclesiæ quicquid illud est dirimatur.

[Id. c. xxxiii.]

NULLUS

Clericus non potest dicere ullam causam ante civilem judicem. [See vol. ii. p. 512. Answ. to Dev. Reb.]

[u] SYLVESTER

Nullus clericus, vel diaconus, vel presbiter propter quamlibet caussam [x]*intret curiam, nec* [y]*ante civilem judicem* [z]suam [a]præsumat dicere caussam.

Sylvester. [in Epilogo Concilii Romani.]

[Id. c. xxxiv.]

ALIUD

[b] LEO [Gratianus]

Aliud quidem etc. *Non ait propter* [c]*criminalem caussam tantum, sed generaliter propter quamlibet causam, tam civilem quam criminalem intelligens.*

[Id. c. xxxv.]

QUICUNQUE

[d] Theodosius Imperator.

Quicunque litem habens, [e]*sive petitor fuerit,* [f]*vel initio litis vel*

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[r] [Ep. ii. Episc. orient.]

[s] [*E contra*]

[t] [Ep. Clem. i.]

[u] [in Epilog. Conc. Rom.—Cf. c. 16 Apocr. Const. Sylv.]

[x] [*intret in curiam*]

[y] [*judicem civilem*]

[z] ["suam" omitted.]

[a] [*causam dicere præsumat*]

[b] [ad Rusticum ep. xc. al. xcii. c. 9.—Ep. 167. Ed. Baller. A. 458, vel 459.]

[c] [*criminalem tantum*]

[d] [Cod. Theod. c. 1. de episc. jud.]

[e] [sive possessor sive petitor]

[f] [*vel in initio*]

decursis temporum curriculis, sive cum negotium peroratur, sive cum jam cœperit promi [g]*sententia, si judicium eligerit sacrosanctæ sedis antistitis, illico sine ulla dubitatione, etiamsi alia pars refragatur, ad episcoporum judicium cum sermone litigantium dirigatur.*

[Id. c. xxxvi.]

MNES ITA-UE mnes caussæ) Episcopis rminari posint, et tunc on licet reactari.

[h] Theodosius

Omnes itaque caussæ, [i]*quæ* [k]*prætorio vel civili jure tractantur, episcoporum sententiis terminatæ perpetuo stabilitatis jure firmentur, nec ulterius liceat retractari negotium, quod episcoporum sententia* [l]*deciditur. Testimonium etiam, ab uno licet episcopo* [m]*prohibitum omnes judices indubitanter accipiant,* nec alius audiatur, cum testimonium episcopi a qualibet parte fuerit repromissum. [n]Illud veritatis authoritate firmatum, illud [o]incorruptum, habeatur quod a sacrosancto [p]homine secundum scientiam mentis illibatæ [q]prolatum. Hoc nos edicto [r]salubri firmamus, et perpetua lege tenendum esse censemus.

ol. 20. verso]

Nemo rejiciet testimonium unius Episcopi.

[Id. c. xxxvii.]

OLUMUS nnes omım caussæ ud Episcos tractari finiri posnt.

[s] CAROLUS

Volumus atque præcipimus, ut omnes nostræ ditioni subjecti, tam Romani quam Franci, [t]Alemanni, [u]Barovarii, Burgundiones, Saxones, [x]Toringi, Frisones, Galli, Britones, Longobardi, Guascones, Benevantani, Goti, Hispani, [y]ceterique omnes subjecti nobis quocunque [z]legis vinculo videantur [a]astricti vel consuetudinario [b]connexi more, hanc sententiam, quam ex xvii Theodosii Imperatoris lib. c. videlicet xi, ad interrogata [c]Blavii

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[g] [*sententia, judicium*]

[h] [Ibid.]

[i] [quæ vel prætorio]

[k] [*prætorio jure vel civili tractantur*]

[l] [So all coll. edd. exc. Bas. 1481, which reads decidetur.—deciderit : ed. Leips.]

[m] [*perhibitum*]

[n] [Illud est *enim*]

[o] [incorruptum, quod]

[p] [homine conscientiæ mentis]

[q] [protulerit]

[r] [salubri aliquando censuimus, hoc perpetua lege firmamus, malitiosa litium semina comprimentes.]

[s] [in suis capitular. l. vi. c. 281.]

[t] nostræ Deo auxiliante subjecti]

[u] [Bavari]

[x] [Thuringi]

[y] [*ceterique nobis subjecti omnes*]

[z] [*videantur legis vinculo constricti*]

[a] [So all coll. edd. exc. Bas. 1481, which reads districti.— constricti : ed. Leips.]

[b] [*more connexi*]

[c] [*Ablavii*].

[d]ducis, quam illi et omnibus [e]per scripturam misimus, et inter nostra capitula pro lege tenendam [f]consulto omnium fidelium [g]nostrorum posuimus, lege cuncti perpetua teneant, id est: Quicunque litem habens, sive possessor sive petitor fuerit, etc. [ut supra].

[Id. c. xxxviii.]

De Persona Clerici apud solos Episcopos judicari possunt. [See vol. ii. p. 512. Answ. to Dev. Reb.]

[h] Gregorius

De persona presbyteri hoc attendendum [i]est, si quam caussam habuit, non ab alio teneri, sed episcopus ipsius adiri debuit.

[Id. c. xxxix.]

Pervenit

[k] Grego.

Pervenit ad nos, quod si quis contra [l]clericos causam habeat, dispectis eorum episcopis eosdem [m]clericos tuo facias judicio exhiberi. Quod si ita [n]est, valde constat esse [o]incongruum, sed hac tibi aucthoritate præcipimus, ut denuo hoc facere non præsumas: *Sed si quis contra quemlibet clericum caussam habuerit, episcopum ipsius adeat,* [p]*ut *ad ipse cognoscat, aut certe ab eo* [fol. 21. recto] *judices deputentur, aut si forte ad arbitros eundem est, partes ad elegendos judices ab ipso executio deputata compellat.*

* [Sic]

[Id. c. xli.]

Sacerdotibus

[q] Gregorius

Sacerdotibus autem &c. [r]Ecclesiastica hystoria testatur, quia cum piæ memoriæ Constantino principi [s]in scripto oblatæ accusationes contra episcopos fuissent, libellos quidem accusationis accepit, et eosdem, qui accusati fuerant, episcopos convocans, in eorum conspectu libellos quos acceperat, incendit, dicens; *Vos Dii estis, a vero Deo constituti. Ite, et inter vos caussas vestras discutite, quia dignum non est ut nos judicemus Deos.*

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[d] [quam et illi et omnibus: Ed. Bas. 1481.—quam illis et omnibus: the other edd.—ducis illi et omnibus: ed. Leips.]

[e] [this is the old reading, altered by the correctors to "rescriptum sumsimus."]

[f] [*consultu*]

[g] [nostrorum, tam clericorum quam laicorum posuimus,]

[h] [lib. xi. Ep. 34. Joanni defensori. Ep. 45. l. 13. ed. Bened. A. 603.]

[i] [est, quia, si]

[k] [lib. ix. Ep. 32. Romano defens: Sicil.—Ep. 37. l. 11. ed. Bened. A. 601.]

[l] [*clericos quoslibet causam*]

[m] [clericos in tuo]

[n] [est, quia valde]

[o] [incongruum, hac]

[p] [*ut aut ipse*]

[q] [Maur. Imper. lib. iv. Ep. 31.—Ep. 40. l. 5. ed. Bened.]

[r] [*ecclesiastica quoque historia*]

[s] [scripto]

[Id. c. xliii.]

LACUIT
lericus non
otest pemit-
re causam
dicandam
dici civili :
See vol. ii.
512. Answ.
Dev. Reb.]

ausæ laico-
um termi-
ndæ sunt
ud eccle-
am.

[Sic]

[t] CONCLIUM CARTHAGINEN.

Placuit, ut quisquis episcoporum, presbiterorum, et diaconorum, *seu clericorum, cum in ecclesia ei crimen fuerit intemptatum, vel civilis caussa fuerit commota.* Si derelicto ecclesiastico judicio, publicis judiciis purgari voluerit, etiamsi pro ipso [u]lata [x]fuerit sententia, locum suum [y]admittat. Et hoc in criminali actione, in civili vero perdat quod evicit si locum suum obtinere maluerit, siquidem ad eligendos judices inique de ecclesiæ consortio judicat qui de universa ecclesia male sentiendo de judicio sæculari [z]possit* auxilium, *cum* [a]*privatorum etiam caussas* [b]*Apostolus ad ecclesiam deferri, atque ibi determinari præcipiat.*

[Id. c. xlv.]

QUIS
lericus in
usa pecuni-
ia conveni-
dus est co-
m episcopo.
See vol. ii.
512. Answ.
Dev. Reb.]

[c] CONLIUM CARTHAGINEN.

Si quis cum clerico litigium habuerit, si quidem de caussa pecuniaria, adeat pius episcopum, cujus judicio clericus suppositus est. [d]*Ille autem sine damno et sine dilatione competentem finem liti impositurus est.*

ol. 21. verso]

[Id. c. xlvii. Palea.]

LERICUM

Gratianus

[e]Clericum : et mox : *Ex his omnibus datur intelligi, quod clericus ad puplica judicia, nec in civili, nec in criminali caussa est producendus, nisi forte civilem caussam episcopus decidere noluerit, vel in* [f]*criminali* caussa, non sui honoris cingulo eum [g]denudaverit. *Illud autem quod in epistola Clementis dictum est; non cognitorum* sæcularium negotiorum te vult Deus esse, ex episcopali unctione intelligendum est, non enim in episcopum ungitur, ut cognitor sæcularium negotiorum resideat, sed ut procurator animarum et distributor spiritualium exsistat. *Prohibetur ergo sæcularibus negotiis occupari, non ad tempus sequester fieri, vel sæcularia judicia non de rebus sæcularibus sed sæcularium virorum intelligenda sunt.* Judicia de rebus sæcularibus sæcularia appellantur juxta illud Apostoli: Sæcularia igitur judicia

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[t] [Conc. Carth. iii. c. 9. A. 397.]

[u] [*prolata*]

[x] [*fuerit prolata*]

[y] [*amittat*]

[z] [*poscit*]

[a] [privatorum Christianorum caussas]

[b] [*Apostolus etiam ad*]

[c] [Const. lxxiv. c. 1. Epist. Nov. Juliani const. 77. c. 1.]

[d] [enim]

[e] [Ex Concil. Agath. c. 32.]

[f] [*criminali sui*]

[g] [*nudaverit*]

si habueritis, contemptibiles qui sunt in ecclesia constituite. Judicia vero sæcularium sæcularia appellantur, juxta illud Apostoli in epistola Clementis, quod ex subsequentibus datur intelligi, cum dicitur; *Hæc opera, quæ tibi minus congruere diximus, exhibeant sibi invicem vacantes laici.* Prohibentur ergo [h] Clerici cognitione negotiorum sæcularium virorum, non sæcularium caussarum. *Negotia [i] quippe, sive criminalia sive civilia fuerint, non nisi apud ecclesiasticum judicem ventilanda sunt.*

[11.] Q. 2.

QOUD VERO [See Append. to this vol. No. 88** Letter to Q. Mary. p. 585.] [fol. 22. recto]

Gratianus

Quod vero culpa illa suspensione digna sit, ex capitulo illo Millevitani concilii liquido constat. *Si enim communione privandus est qui clericum ad civilem judicem crediderit pertrahendum, multo magis suspensione dignus est qui sui episcopi judicium interpellantem ad judicium sæculare [k] protrahere non dubitavit.*

11. Q. 3.

SED PONATUR

Gratianus

Sed ponatur, quod hæc culpa suspensione digna non fuerit, quæritur, utrum sit deponendus qui officium contra prohibitionem episcopi celebrare ausus est? Sed quod sententia episcopi, sive justa sive injusta fuerit, timenda sit. . . . GREGORIUS, testatur dicens.

[C. i.]

SENTENTIA

[l] Gregorius Papa

Sententia pastoris, sive justa sive injusta fuerit, timenda est.

12. Q. 1. [c. xxiii.]

EPISCOPUS Bona ecclesiæ sunt bona pauperum.

[m] Ex concilio Antiocheno

Episcopus ecclesiasticarum rerum habeat potestatem ad dispensandum erga omnes, qui indigent; cum summa reverentia et timore Dei. Participet autem et ipse quibus indiget, si tamen indiget tam in suis quam in fratrum, qui ab eo [n] recipiuntur, necessariis usibus profuturis, ita [o] ut nulla qualibet occasione fraudentur, juxta sanctum Apostolum sic dicentem, Habentes victum et [p] vestitum, his contenti [q] sumus. Quod si contentus [r] his minime fuerit, convertat autem res ecclesiæ in suos [s] do-

[h] [*clerici a cognitione*]

[i] [*quippe clericorum, sive*]

[k] [*pertrahere*]

[l] [Hom. xxvi. in evang.]

[m] [c. 25. A. 332.]

[n] [*suscipiuntur*]

[o] [ut in nullo]

[p] [*tegumentum*]

[q] [*simus*]

[r] [*istis*]

[s] [*usus domesticos*]

mesticos usus, et ejus commoda vel agrorum fructus non cum presbiterorum [t]dyaconorumque conscientia pertractet, sed horum potestatem domesticis, aut propinquis, aut fratribus [u]filiisque suis committat, ut per hujusmodi personas occulte res lædantur ecclesiæ, synodo provinciæ pœnas iste [x]persolvit. Si autem et aliter accusetur episcopus, aut presbyteri qui cum ipso sunt, ol. 22. verso] quod ea quæ pertinent ad ecclesiam, vel ex agris, vel ex alia qualibet ecclesiastica facultate sibimet usurpent, ita ut ex [y]hoc pauperes affigantur, criminationi vero et blasphemiis tam sermo prædicationis, quam [z]hi, qui dispensant taliter exponantur, et [a]hoc opertet corrigi, sancta synodo id quod condecet [b]comprobante.

ol. 22. verso] 12 Q 2. [c. xiii.] [c] Ex vi^{o} synodo universali

See vol. ii. 512. Answ. Dev. Reb.]

es ecclesiticas non et alienare.

ui acceperit it emerit netur restiere.

OSTOLICOS

Ex concilio 6° universali

Apostolicos et paternos canones renovans hæc sancta et [d]venerabilis synodus diffinivit, neminem prorsus episcopum vendere vel utcunque alienare cimelia et vasa sacrata, excepta causa olim ab antiquis canonibus ordinata, videlicet pro redemptione captivorum. Sed nec tradere salaria ecclesiarum in emphiteutica pacta, nec alias rusticas possessiones [e]venundari, ac per hoc, ecclesiasticos reditus lædere, quos ad propriam utilitatem, et ob escam pauperum et perigrinorum sustentationem esse decernimus. *Et paulo post:* Apostolicos &c. *Quisquis autem* [f]*post hanc diffinitionem nostram contrarium* [g]*quidem huic* [h]*sanctæ sedi ac universali* [i]*synodo temptaverit, deponatur* ut prævaricator divinarum [k]rerum et præceptorum, cassata videlicet omnino quæ facta est in scriptis vel sine scriptis ab episcopo venditione vel emphyteotica traditione, vel alia qualibet alienatione, cimeliorum scilicet et salariorum locorum. *Qui vero* [l]*ceperit aut emerit aliquid ex prædictis cimeliis vel salariis et non restituerit ecclesiæ iterum quæ ecclesiæ sunt, vel non* [m]*reddiderit ad incidendum chartam, ven-*

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[t] [*conscientia diaconorumque*]

[u] [*filiisque committat*]

[x] [*persolvat*]

[y] [hoc affigentur quidem pauperes]

[z] [*ii*] [a] [*hos*]

[b] [*approbante*]

[c] [Conc. Const. viii. c. 15. A. 869.]

[d] [*universalis*]

[e] [*venundare*]

[f] [autem apparuerit post]

[g] [*quid*] [h] [*sanctæ ac*]

[i] [synodo agere, deponatur]

[k] [legum]

[l] [emerit aut perceperit.—ceperit: all coll. edd.]

[m] [dederit]

ditionis vel emphiteoseos, sit anathema usque dum fecerit quod ab hac sancta et universali synodo confirmatum est.

[Id. c. xix.]

QUISQUIS [See vol. ii. p. 512. Answ. to Dev. Reb.]

Si ex agro ecclesiastico nihil proventus sit, tamen non detur principi, sed clerico, vel agricolæ. Et si principes emere voluerit, nihil valet venditio, sed princeps tenetur restituere. [fol. 23. recto]

[n] EUSEBIUS CESA

Quisquis episcopus vel [o] *abbas de salariis episcopii vel monasterii transferre quicquam in principum manus, vel etiam alii personæ* [p] *conferre voluerit, irritum sit quod datum esse constiterit, secundum canonem sanctorum Apostolorum,* qui dicit: Omnium ecclesiasticarum rerum episcopus habeat solicitudinem, et dispenset eas tanquam Deo contemplante. Non [q] liceat ei fraudare quicquam ex illis, vel cognatis propriis [r] dare quæ Dei sunt. Quod si pauperes fuerint, ut pauperibus largiatur, sed non sub horum occasione quæ sunt ecclesiæ defraudentur. Quod [s] si callidate usus excusationem [t] prætenderit Episcopus *damnum facere, et nihil ad profectum* [u] *agrum* vel locum exsistere, *nec sic* [x] *principibus tribuatur ager vel locus, sed clericis vel agricultoribus. Quod si calliditate usus* [y] *fuerit princeps, et vel a colono, vel a clero* agrum *emerit, sit irrita venditio, et restituatur* [z] *episcopo vel monasterio.* [a] *Episcopus vel abbas hoc faciens* [b] *abjiciatur, tanquam qui* [c] *dispersit quæ non collegit.*

[Id. c. xx.]

NON LICET

[d] Symmachus Papa

Non liceat Papæ prædium ecclesiæ alienare aliquo modo pro aliqua necessitate, nec in usumfructum rura dare, nisi tantummodo domos, quæ in quibuslibet urbibus non modica impensa sustentantur. Qua lege omnes custodes astringantur, ut donator, [e] assentator, venditor honorem perdat. Et qui subscripserit anathema sit cum eo, qui dedit vel qui recepit, nisi restituatur.

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[n] [So cited by Gratian. The correctors ascribe it to Synod vii. c. 12. the version of Anastasius.]

[o] [abbas inventus fuerit de]

[p] [conferre, irritum]

[q] [*liceat autem ei*]

[r] [*donare*]

[s] [si excusationem]

[t] [*prætenderit damnum*]

[u] [So all coll. edd. exc. Strasb. 1471.—agrum existere]

[x] [principibus, qui per loca illa sunt, tribuatur]

[y] [*fuerit princeps, et vel a colono vel a clerico emerit* princeps *agrum, sit irrita*]

[z] [episcopio] [a] [et episcopus]

[b] [abjiciatur, episcopus quidem ab episcopio, abbas autem a monasterio, tanquam]

[c] [*dispergit*]

[d] [in Synod. iii. (Rom.) c. 4. et seqq. usque ad c. 9. A. 502.]

[e] [*accusator*]

Liceat etiam quibuslibet ecclesiasticis personis contradicere, et cum fructibus alienata reposcere. Quod non [f]solummodo in apostolica [g]conservandum est ecclesia, sed [h]universis ecclesiis per provincias quidem [i]dicitur id convenire.

ol.23. verso] [Id. c. xxii.]

E REBUS De rebus, quæ semel Deo contributæ atque dicatæ sunt, et postea sub occasione concessionis principum a quibusdam invaduntur atque diripiuntur, sancimus, ut prius consulatis principem ad resecandam tam præsumptivam factionem, et cognoscendum, utrum illius sit concessio, an invasoris præsumptio. Quod si principis inordinata fuerit [l]largitio, et ipse princeps sit pro emendatione redarguendus. Si autem invasoris declaratur præsumptio, usque ad emendationem excommunicationis sit vindicta coercendus. [k] NICO PAPA

[Id. c. xxiv.]

I DIVINIS [n]Qui divinis, et humanis legibus incivili damnatione calcatis, et reverentia religionis abjecta, vel ecclesiastica privilegia calcare contendunt, vel ubilibet in pauperum prosilire dispendium, nec hujusmodi saltem commoniti convictique nequitiam sopire consentiunt atque illata sacris rebus detrimenta [o]resercire merito divini numeris participatione sunt privandi, [p]et hujus perceptione careant, quod sacrilegis ausibus habuere despectui. [m] Gelasius

[c. xxvi.]

ICESSO Concesso, Et mox. *Redditus et oblationes fidelium in quatuor partes dividat,* quarum unam Episcopus [r]sibi retineat, alteram clericis pro officiorum suorum sedulitate distribuat, fabricis tertiam, quartam pauperibus et peregrinis habeat fideliter erogandam, quarum rationem divino est redditurus examini. [q] Gelasius

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[f] [*modo*] [g] [*servandum*]

[h] [*verum etiam*]

[i] [dicitur convenire]

[k] [Adoni Vienn. Archiep. in Epist. cuj. init. "Quia sanctitatis vestra." A. 865.]

[l] [*largitio, ipse sit princeps*]

[m] [Majorico, Sereno, et Johanni Episcopis.]

[n] [*Qui et divinis*]

[o] [sarcire] [p] [ut]

[q] [Clero, et ordini, et plebi Brundusii.]

[r] [*sibi ipse*]

[fol. 24. recto] [c. xxvii.]

QUATUOR

Opes ecclesiæ in quatuor usus sunt accommodandæ.

Quatuor autem tam de reditu quam de oblatione fidelium, prout cujuslibet ecclesiæ facultas admittit, (sicut dudum rationabiliter est decretum,) convenit fieri portiones, [t] quarum una pontificis, altera clericorum, tertia pauperum, [u] quarta est fabricis applicanda. De quibus sicut sacerdotis intererit integram ministris ecclesiæ memoratam [x] dispendere quantitatem, sic [y] clericus ultra delegatam sibi summam nihil insolenter noverit expetendum. Ea vero, quæ ecclesiasticis ædificiis attributa sunt, huic operi veraciter prærogata locorum doceat instauratio [z] sanctorum manifesta, quia nefas est (si sacris ædibus destitutis) in lucrum suum præsul impendia his [a] edibus deputata convertat. Ipsam nihilo minus ascriptam pauperibus portionem, quamquam divinis rationibus se dispensasse monstraturus esse videatur, tamen [b] juxta hoc quod scriptum est: Ut videant opera vestra bona, et glorificent patrem vestrum, qui in cœlis est, oportet etiam præsenti testificatione [c] prædicari, commendari, et bonæ famæ præconiis non taceri. Quapropter nec clericorum quispiam &c. [s] Gelasius

[c. xxviii.]

DE REDDITIBUS

De reditibus ecclesiæ, vel oblatione [e] fidelium episcopis ex et his una portio remittatur, duæ ecclesiasticis [f] fabricibus et [g] erogationi pauperum profuturæ [h] a presbitero sub periculo sui ordinis ministrentur. [i] Ultima clericis pro singulorum meritis dividatur. [d] Simplicius

[Id. c. xxix.]

COGNOVIMUS

Cognovimus de redditibus ecclesiæ noviter [l] acquisitis ad cano- [k] GREGO

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[s] [Ep. ad Episc. per Lucaniam et Brutios. c. 29. A. 494.]

[t] [*quarum sit una*]

[u] [quarta fabricis]

[x] [dependere] [y] [clerus]

[z] [manifesta sanctorum]

[a] [his sacris ædibus: edd. coll. o. —his deputata: Leips. ed.

[b] [*juxta quod*]

[c] [*prædicari, et bonæ*]

[d] [Florentio, et Equitio, et Severo Episc. Ep. iii. A. 475.]

[e] [fidelium, quid deceat nescienti nihil licere permittat, sed sola episcopo]

[f] [*fabricis*]

[g] [erogationi peregrinorum et pauperum]

[h] [a Bonagro presbytero]

[i] [Ultima inter se clericis]

[k] [Maximiano Episc. Syrac. lib. iii. Ep. ii.—Ep. xi. l. 4. ed. Bened. A. 394.]

[l] [acquisitis canonicam]

[fol. 24. verso] nicam dispositionem [m]quartum minime provenire, sed episcopos locorum distribuere tantummodo quartam antiquorum redditurum. Nunc vero quæsita suis usibus retinere, quam rem pravam subintroductamque consuetudinem fraternitas tua vivaciter emendare festinet, ut sive de præteritis redditibus sive de his, quæ obvenient, vel obvenientibus, quartæ secundum distributionem canonicam dispensentur.

[Id. c. xxx.]

MOS EST Mos est apostolicæ sedis ordinatis episcopis [o]præcepta tradere, [n] GREGO ut de omni stipendio, quod accedit, quatuor [p]fieri debeant portiones, una videlicet episcopo et familiæ ejus propter hospitalitatem [q]atque susceptionem, alia clero, tertia vero pauperibus, quarta ecclesiis reparandis.

[Id. c. xxxi. Palea.]

SANCIMUS Sancimus omnibus episcopis curam laicorum [s]eis instare, ut, [r] CONClium TOLETA si quos in fide Christi invenerint, nimio affectu [t]diligant, et insuper confirmamus, ut, si aliqua ab ipsis accipiant dona, statim in quatuor dividant partes, Ita, ut prima pars secundum apostolorum præcepta titulorum, nec non cœmetariorum restaurationibus diligenter attribuatur, Secunda clericis, Tertia cunctis pauperibus Quarta vero advenis.

[Id. c. xxxix.]

ET SI ILLI Et si illi, qui nulla ex rebus suis pauperibus Christi distribuunt, [u] CONlium TOLETanum æterni judicis voce [x]condemnabuntur in futuro, quanto magis [y]hi, qui auferunt pauperibus quod non dederunt? Quapropter episcopi, qui nihil ex suo proprio ecclesiæ Christi com- [fol. 25. recto] pensaverunt, hanc divinam sententiam metuant, et liberos ex familia ecclesiæ ad condemnationem suam facere non præsumant. Impium enim est, ut qui res suas ecclesiæ Christi non contulerit damnum inferat, et jus ecclesiæ alienare contendat.

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[m] [*quartarum*]

[n] [Augustino Episc. Anglor. Ep. 600. l. 11. ed. Bened. A. 601.]

[o] [*præceptum*]

[p] [*fieri debeant*]

[q] [*et*]

[r] [The correctors remark, that this passage is not to be found in any printed or manuscript record of any Toledan Council. Its author is uncertain.]

[s] ["eis" in all coll. edd.: except Lyons, 1548 and 1564.—omitted in Leips. ed.]

[t] [diligant. Insuper]

[u] [Conc. Tolet. iv. c. 66. A. 633.]

[x] [*in futuro condemnabuntur*]

[y] [*ii*]

[Id. c. lxx.]

AURUM
Calices ecclesiæ vendi possunt, pro necessitate pauperum.

[z] Ambrosius

Aurum ecclesia habet, non ut servet, sed ut eroget et subveniat in necessitatibus. Quid opus est custodire quod nihil adjuvat? An ignoramus, quantum auri atque argenti de templo Domini Assirii sustulerunt? Nonne melius conflat sacerdos propter alimoniam pauperem, si alia subsidia desint, quam si sacrilegus [a]contaminat et asportet hostis? Nonne dicturus est Dominus: Cur passus es tot inopes fame [b]mori? Et certe habebas aurum unde ministrasses alimoniam. Cur tot captivi [c]in captivitatem ducti, nec redempti, ab hoste accisi sunt? Melius fuerat, ut vasa viventium servares, quam metallorum. His non [d]potest responsum referri. Quid enim [e]dices? *Timui, ne templo Dei ornatus deesset?* [f]*Respondet: Aurum sacramenta non* [g]*quærent; neque auro placent quæ auro non emuntur. Ornatus* [h]*sacrorum redemptio captivorum est, et vere illa sunt vasa pretiosa, quæ redimunt animas a morte. Ille verus thesaurus est Domini, qui operatur quod sanguis ejus operatus est.* Et post pauca: [i]Nemo potest dicere, cur pauper vivit? Nemo potest queri, quia captivi redempti sunt. Nemo potest accusare, quia templum Dei [k]est ædificatum. Nemo potest indignari, quia humandis fidelium [fol. 25. verso] reliquiis spacia laxata sunt. Nemo potest dolere, quia in sepulturis Christianorum requies defunctorum est. *In his tribus generibus vasa ecclesiæ etiam initiata confringere, conflare, vendere licet.* Opus est, ut de ecclesia mistici populi forma non exeat, nec ad usus nepharios sacri calicis ministerium transferatur. Ideo [l]primum intra ecclesiam quæsita sunt vasa, quæ initiata non essent, deinde comminuta, Postremo conflata, per minutas erogationes dispensata egentibus [m]captivorumque pretiis profecerunt. *Quod si desunt nova et quæ nequaquam initiata* [n]*videan-*

Verus ornatus ecclesiæ.

Calices ecclesiæ vendi possunt pro necessitate pauperum.

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[z] [Lib. iii. de officiis: c. 28.]

[a] [contaminata asportet]

[b] [ernori]

[c] [deducti in commercium sunt,]

[d] [posset] [e] [diceres]

[f] [Responderet]

[g] [quærunt]

[h] [sacramentorum]

[i] [nemo enim potest]

[k] [ædificatum est]

[l] [*intra ecclesiam primum*]

[m] [captivorum quoque]

[n] [*videantur, in hujusmodi usus, quos supra* diximus]

tur, et in hujusmodi, quos [o]supradixi usus [p]omnia arbitror pie posse converti.

[Id. c. lxxi.]

Gloria Epi *Gloria episcopi est pauperum* [r]*opibus providere; ignominia sacerdotis est propriis studere divitiis.* [q] Hiero Natus in paupere domo et in tugurio rusticano, qui vix milio et cibario pane rugientem [s]ventrem saturare poteram, nunc similam et mella fastidio. Item ejusdem: Multi ædificant parietes, et columnas ecclesiæ [t]substruunt, marmora nitent, auro [u]laquearia splendent, gemmis altare distinguitur, et ministrorum Christi nulla [x]est electio. n templis ivitias non udat. *Neque vero mihi aliquis opponat dives in Judææ templum, mensam, lucernas, thuribula, patellas,* scyphos, martareola, et cetera ex auro [y]fabricata. *Tunc hæc probabantur a Domino, quando sacerdotes hostias immolabant,* et sanguis pecudum erat remissio peccatorum, quanquam hæc omnia præcesserint in figura, [z]scriptum est autem propter nos, in quos fines sæculorum devenerunt. ol. 26. recto] *Nunc vero, cum paupertatem domus suæ pauper Dominus dedicarit, portemus crucem,* et [a]delicias lutum [b]putemus. Item ejusdem: Amico [c]rapere quippiam furtum est. Ecclesiam fraudare sacrilegium est. [d]Accepisse pauperibus erogandum et esurientibus [e]plurimis illud reserare, vel cautum vel timidum, aut quod apertissimi sceleris est, [f]exinde aliquid subtrahere, omnium prædonum crudelitatem superat. Item ejusdem ad [g]Paulum, de institutione monachi: Crates ille Thebanus, homo quondam ditissimus, cum ad philosophandum Athenas pergeret, magnum auri pondus abjecit, neque putavit, se simul posse et virtutes et [h]divitias simul possidere. Nos suffarcinati auro Christum pauperem sequimur, et, sub prætextu [i]elimosynes pristinis opibus incubantes, quomodo possumus aliena fideliter distribuere, qui nostra timide reservamus? Plenus venter facile de jejuniis disputat. Non Hierosolimis [k]esse, sed Hierosolymis bene vixisse laudandum est.

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[o] [diximus]

[p] [arbitror omnia]

[q] [ad Nepotian. de vita cler.]

[r] [inopiæ]

[s] [*saturare ventrem*]

[t] [subtrahunt]

[u] [*splendent laquearia*]

[x] [electio est] [y] [fabrefacta]

[z] [scripta autem sunt]

[a] [divitias] [b] [putabimus]

[c] [quippiam rapere]

[d] [Accepisse quod pauperibus erogandum sit et]

[e] [reservare vel cautum vel timidum (timendum: edd. Strasb. 1471. Bas. 1481) est: all coll. edd. coll. —plurimis, vel cautum esse velle, vel timidum: ed. Leips.]

[f] [aliquid inde]

[g] [*Paulinum*]

[h] [*divitias possidere*]

[i] [*eleemosynæ*]

13 Q 2. [c. xxii.]

ANIMÆ Defuncti juvantur quatuor modis.

[l] GREGO

Animæ defunctorum quatuor modis solvuntur, *aut oblationibus sacerdotum, aut precibus sanctorum, aut charorum elemosinis, aut jejunio cognatorum.*

[Id. c. xxiii.]

TEMPUS

[m] AUGUS

Tempus, quod inter &c. Defunctorum animas pietate suorum viventium relevari, cum *pro illis sacrificium mediatoris offertur, vel elemosinæ fiunt* [n]*in ecclesia.*

15 Q 6ta. [c. ii.]

Ro. Pon. absolvit a juramentis fidelitatis. [See Append. to this vol. No. 88**. Letter to Q. Mary. p. 590.]

[o] Nico Papa

Authoritatem venerabilium &c. [p]A fidelitatis etiam juramento Ro. Pon. nonnullos absolvit, cum aliquos a sua dignitate deponit.

[Id. c. iii.]

[fol. 26. verso]

[q] Gelasius Papa Roma. Pontif. principes excommunicat, deponit, et subditos a juramento absolvit.

Alius item Romanus Pontifex, *Zacharias scilicet, regem Francorum non tam pro suis iniquitatibus, quam pro eo, quod tantæ potestati erat inutilis, a* [r]*regno suo deposuit;* et Pipinum, [s]Karoli imperatorem patrem, in ejus locum substituit, *omnesque Francigenas a juramento* [t]*fidelitatis* absolvit. Quod etiam ex authoritate frequenti agit sancta ecclesia, cum milites *absolvit a vinculo juramenti,* quod factum [u]est ab his episcopis, qui apostolica authoritate a pontificali gradu deponuntur.

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[k] [*fuisse*]

[l] [Greg. ii. Bonifacio Episc. epist. ult.—The Leipsic Editors say that it is rightly attributed by Anselm (l. 7. c. 186) to Greg. iii.—Bonifacio Mogunt. Episc.]

[m] [in Enchiridio, c. 109 et 110.]

[n] [in ecclesia fiunt]

[o] [Episcopis Galliæ. A. 861.]

[p] [This sentence is Gratian's.]

[q] [The correctors remark that the ordinary title, Gelasius Papa Anastasio Imperatori, cannot be correct: as Zacharias and Charlemagne, mentioned in this chapter, lived long after Gelasius. It occurs "in regesto Greg. vii. lib. 8. Ep. 21. Herimanno Met. Episc. A. 1080.]

[r] [*regno deposuit*]

[s] [*Caroli magni imperatoris*]

[t] [fidelitatis, quod illi fecerant, absolvit.]

[u] [*est his*]

[Id. c. iv.]

NOS SANCTORUM *Nos, sanctorum prædecessorum nostrorum statuta tenentes, eos,* [x] Gregorius *qui excommunicatis fidelitate aut sacramento constricti sunt, apostolica authoritate a juramento absolvimus, et* [y] *ne sibi fidelitatem observent omnibus modis prohibemus, quousque ipsi ad satisfactionem veniant.*

[Id. c. v.]

JURATOS *Juratos milites Hugoni Comiti, ne ipsi, quamdiu excommunicatus* [z] Urbanus 2us. *est, serviant, prohibeto. Qui si sacramenta prætenderint, moneantur, oportere Deo magis servire quam hominibus.* Fidelitatem enim, quam Christiano principi jurarunt, Deo ejusque sanctis adversanti, et eorum præcepta calcanti, nulla cohibentur authoritate persolvere.

Q. 8. [Id. Quæstio viii. c. v.]

SCISCITANTIBUS Sciscitantibus vobis, *Si a sacerdote,* [b] qui fuerit comprehensus Nicolaus Papa [a] *in adulterio,* sive de hoc sola fama respersus est, debeatis com- [fol. 27. recto] munionem [c] recipere necne? Respondemus: Non potest aliquis, quantumcunque pollutus sit, sacramenta divina polluere, quæ purgatorium [d] cunctarum contagionum [e] exsistunt, qualiscunque enim sacerdos sit, quæ sancta sunt coinquinare non [f] possint. Idcirco ab eo, ([g] *quousque judicio episcoporum reprobetur,*) *communio percipienda est.*

16 Q. I. [c. viii.]

PLACUIT Placuit communi nostro concilio, ut nullus monachorum pro EUGENIUS [h] lucro terreno de monasterio exire nefandissimo ausu præsumat, neque pœnitentiam dare, neque filium de baptismo accipere, neque baptizare, neque infirmum visitare, neque mortuum sepelire, neque ad ecclesiam sæcularem transire, neque aliis qualibuscunque negotiis sese implicare; sit claustro suo contentus, *Quia sicut piscis sine aqua caret vita, ita sine monasterio monachus. Sedeat* itaque solitarius, et taceat, quia mundo mortuus est, Deo autem vivit. Agnoscat nomen suum, monos enim Græce, Latine [i]unus est: achos [k]Græce, id est [l]tristis. [m]Unde dicitur monachus, id est unus tristis. Sedeat ergo tristis, et officio suo vacet.

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[x] [Greg. vii. Romanæ Synodo. A. 1078.]

[y] [ne eis]

[z] [Episc. Vapicensi.]

[a] [ad consulta Bulgarorum. c. 71. A. 866.]

[b] [qui sive deprehensus]

[c] [suscipere]

[d] [*purgatorium*]

[e] [exsistunt, nec potest solis radius per cloacas et latrinas transiens aliquid exinde contaminationis attrahere. Proinde qualiscunque sacerdos]

[f] [possunt: all coll. edd.—potest: Ed. Leips.]

[g] [*usquequo*]

[h] "caput incertum:" Leips. edd.]

Monachum de monasterio exire non licet.

[Id. c. xix.]

ADJICIMUS

Adjicimus illud etc. Monachi autem, et si in dedicatione sui presbiteratus (sicut et ceteri sacerdotes) baptizandi, prædicandi, dandi[o], peccata remittendi, beneficiis ecclesiasticis perfruendi, rite potestatem [p]accipiunt, ut amplius et perfectius agant ea, quæ sacerdotalis officii esse sanctorum Patrum constitutionibus comprobantur: tamen executionem suæ potestatis non habent, nisi a populo fuerint electi, et ab episcopo cum consensu abbatis ordinati.

[n] LEO PAPA [Gratianus]

[Id. c. lxviii.]

QUONIAM

Quoniam quicquid habent clerici pauperum est, et domus illorum omnibus debent esse communes, susceptioni peregrinorum et hospitum invigilare debent, maxime curandum [r]est de illis, ut de decimis et oblationibus cœnobiis [s]xenodochis qualem voluerint et potuerint sustentationem impendant. *Liberum est enim monachis, et spiritualibus viris Deum timentibus et colentibus decimas et oblationes cunctaque remedia concedere, et de jure suo in dominium illorum et usum transferre,* nec tam in pauperibus paupertatem, quam religionem attendere. Quod autem beatitudo tua quæsivit, utrum usus decimarum et oblationum sæcularibus provenire possit, Novit vestra sanctitas omnino non licere, protestantibus hoc divinis authoritatibus paternorum canonum.

[q] Hiero^{us}.

[fol. 27, verso]

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[i] [*est unus*]

[k] [Græce, Latine tristis]

[l] [So Ed. Bas. 1481.—tristis est: other coll. edd.—tristis sonat: Leips. ed.]

[m] [*Inde*]

[n] [ad Theod. Episc. Cypri.—Epist. lxi. al. lxiii.—Ep. 120. Ed. Baller. A. 453.]

[o] [*pœnitentiam dandi*]

[p] [*accipiant*]

[q] [Damaso Papæ. "caput incertum;" Leips. Edd.]

[r] [*est illis*]

[s] [*et xenodochiis*]

Quamobrem, si aliquando fuerint ab his male detenta, quæ divini juris esse noscuntur, et in usum transierint monachorum et servorum Dei, episcopo tamen loci illius præbente consensum, constabunt eis omnia perpetua firmitate et stabilitate subnixa. *Clericos autem illos convenit ecclesiæ stipendiis sustentari, quibus parentum et* [t]*amicorum nulla suffragantur* [u]*stipendia. Qui autem bonis parentum et opibus sustentari possunt, si quod pauperum est accipiunt, sacrilegium profecto* [x]incurrunt committuntque *et per abusionem talium judicium sibi manducant et bibunt.*

[Id. vi. c. 1.[y]]

Glosa.[z] Consuetudo &c. [a]Ecclesia Romana prohibet tamen et in aliis infra [b]c. 2. Et ita est hic arg. quod si papa cum aliquo causam habet, non debet ipse esse judex, et rem occupare, sed arbitros eligere. Argr. 2. Q. 7ª. Nos si. [c. xli.] alioquin cadet a re. ut in [c]authoritate de man. pri. col. iii. § ulti. C. ut [fol.28. recto] nemini liceat, sine m. l. una c. ut nemo prima. titu. l. 1. c. de his[d] qui pc nomine L. 1. Tamen si vult esse judex in caussa ecclesiæ potest esse, ut [e]arg. 2. Si qui sunt. [c. xvii.]

[fol.28. recto] 17 Q. 4. [c. xxi.]

Quisquis Jo. Papa[f] 8us.

Quisquis inventus fuerit reus sacrilegii, episcopis vel abbatibus, sive personis, ad quas querimonia sacrilegii juste pertinuerit, 30 libras examinati argenti purissimi componat. Sacrilegium committitur, si quis infregerit ecclesiam, vel 30 ecclesiasticos passus, qui in circuitu ecclesiæ fuerint, vel domos, quæ infra[g] prædictos passus fuerint, aliquid inde diripiendo vel auferendo; seu qui injuriam vel ablationem rerum intulerit, clericis arma non [h]deferentibus, vel monachis, sive Deo devotis, omnibusque ecclesiasticis personis. Capellæ, quæ sunt [i]infra ambitum minorum castellorum, non ponuntur in hac 30 passuum observatione. Similiter sacrilegium committitur auferendo sacrum de sacro, vel non sacrum de sacro, sive sacrum de non sacro. Idem: Si quis domum Dei violaverit, et aliqua sine licentia illius, cui commissa esse dinoscitur, inde abstulerit, vel ecclesiasticis personis injuriam fecerit, donec in conventu admonitus legitime satisfaciat, sciat se communione privatum. Si vero post secundam et tertiam conventionem coram episcopo satisfacere detractaverit, sacrilegii periculo ab omnibus obnoxius teneatur. Ita, ut secundum Apostolum nemini fidelium misceatur.

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[t] [So all coll. ed. except Bas. 1481.—propinquorum: Leips. Ed.]

[u] [So all coll. ed. except Strasb. 1471.—"stipendia" omitt. by Leips. Edd.]

[x] [profecto incurrunt et committunt: all coll. edd.—profecto committunt: Leips. Edd.]

[y] Ex conc. a Greg. habito; in regesto ejus bis.—lib. 4. post epist. 43. it. post lib. 12.—A. 595.]

[z] [This gloss is not in the Leips. Ed.]

[a] [Ecclesia. S. Romana. Ed. Par. 1561.]

[b] [eo c. Ed. Par. 1561.]

[c] [authent. Ed. Par. 1561. Ed. Ant. 1573.]

[d] [iis, ed. Par. 1561. ed. Ant. 1573.]

[e] [dixi. Ed. Par. 1561.]

[f] [The Leipsic Editors observe that the first part of this chapter to § 1. (Sacrilegium) is from the epistle of John viii "omnibus Episc." inter act. conc. Trecassensis A. 478. The rest from a book of Gothic law, the author unknown.]

[Id. c. xxix.]

Si quis — Innocentius 8us.[k]

Si quis suadente Diabolo hujus sacrilegii [l]*reatum* vel crimen *incurrerit, quod in clericum vel monachum violentas manus injecerit*, anathematis vinculo subjaceat, et nullus episcoporum [fol. 28. verso] illum præsumat absolvere, nisi mortis urgente periculo, *donec apostolico conspectui præsentatur, et ejus mandatum suscipiat.* Qui [Gratianus] autem de ecclesia vi aliquem exemerit, vel in ipsa ecclesia, vel loco, vel cultui, sacerdotibus, et ministris aliquid injuriæ importaverit, ad instar publici criminis et læsæ majestatis accusabitur, et convictus, sive confessus, capitali sententia a rectoribus provinciæ ferietur. Et mox. Committunt etiam sacrilegium qui contra divinæ legis sanctitatem aut nesciendo committunt, aut negligendo violant et offendant. *Similiter de judicio summi Pontificis alicui disputare non licet.* — Non licet disputatio.

[fol. 28. verso]

[Id. c. xxx.]

Nemini [See vol. ii. 508. Ans. to Dev. Reb.] — [m] Nicolaus

Nemini est de sedis apostolicæ judicio judicare, aut illius sententiam

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[g] [*intra*]

[h] [*ferentibus*]

[i] [So all coll. edd. exc. Lyons 1548, and 1564.—intra: Leips. Ed.]

[k] [Innoc. ii. in concil. Lateran. c. 15. A. 1139.]

[l] [crimen: Ed. Bas. 1481.—vitium: Ed. Strasb. 1471.—vitium vel crimen: the other coll. edd.—reatum incurrerit: Leips. Ed.]

[m] [Omnibus Episcopis. A. 867.—The correctors say the Epistle is not extant.

retractare permissum, videlicet propter Romanæ ecclesiæ primatum, Christi munere in beato Petro apostolo divinitus collatum.

22. Q. 4. [c. xxiii.]

[NOCENS
atrimoni-
n contract-
n post vo-
m est ser-
ndum.

Ambro.[n]
[Gratianus.]

Innocens credit &c. Aliquando namque juramento deest justitia; veluti, quum quispiam post votum castitatis ducit uxorem, juramento firmans, [o]nunquam ab ea discessurum, *quod quamvis illicitum sit, quia justitia sibi probatur deesse, tamen au-* ol.29. recto] *thoritate Augustini servari præcipitur.* Et mox, Est etiam id, quod juratur, aliquando vitiosam, non in natura sui, sed ex causis extra venientibus, veluti cum aliquis post votum castitatis jurat alicui, se habiturum eam in conjugem. Conjugem namque habere in se ipso malum non est, tamen huic ex voto perniciosum est. *Hoc autem juramentum, etiamsi illicitum sit, non tamen servari prohibetur, sed de violatione voti pœnitentia sibi jubetur indici.*

22. Q. 5. [c. xviii.]

FORMA

Philbertus
Episcopus [p]

De forma fidelitatis aliquid scribere monitus, Hæc vobis, quæ sequuntur, breviter ex librorum authoritate [q]novi. Qui domino suo fidelitatem jurat, ista sex semper in memoria debet habere: incolume, tutum, honestum, utile, facile, possibile. Incolume videlicet, ne sit in damnum domino suo de corpore suo. Tutum, ne sit ei in damnum de secreto suo, vel de munitionibus, per quas tutus esse potest. Honestum, ne sit ei in damnum de sua justitia, vel de aliis caussis, quæ ad honestatem ejus pertinere videntur. Utile, ne sit ei in damnum de suis professionibus. Facile vel possibile, ne id bonum, quod dominus suus facere leviter poterat, faciat ei difficile, neve id, quod possibile erat, reddat ei impossibile. Ut fidelis hæc [r]documenta caveat, justum .29. verso] est. Sed quia non sufficit abstinere a malo, nisi fiat id, quod bonum est, restat, ut in eisdem sex supradictis, consilium et auxilium domino suo fideliter præstet, si beneficio dignus videri vult, et salvus esse de fidelitate, quam juravit. Dominus quoque fideli suo in his omnibus vicem reddere debet. Quod si non fecerit, merito censebitur malefidus, sicut ille, qui in eorum prævaricatione vel faciendo, vel consentiendo deprehensus fuerit, perfidus et perjurus.

---

[n] [in lib. officior. iii. c. 10.]

[o] [*nunquam se ab*]

[p] [Fulberti Episc. Carnot. ep. ad Gul. Aquitan. ducem.—in t. 18. Bibl. Patrum.]

[q] [*notavi*]

[r] [So all coll. edd. exc. Bas. 1481.—hic documenta: Ed. Bas.—hæc nocumenta: Leips. Ed.]

[Id. c. xxii.]

Nullus Episcopus clericos suos (nisi forte quibus ecclesiasticarum rerum dispensatio commissa fuerit), sibi jurare compellat verba.

Ex consilio Remen.[s]

Nullus ex ecclesiastico ordine cuiquam laico quicquam super sacrosancta evangelia jurare præsumat, sed simpliciter cum veritate et puritate dicat: est est, non non. Sed si est aliquid, quod sibi objiciatur, prout judicaverint qui ejusdem ordinis sunt, aut corrigatur, aut expurgetur.

[Palea]

Episcopo similiter clericus juramentum præstare non debet, nisi forte is, cui ecclesiæ procurationem committit.

23 Q. 5. [c. xx.[t]]

PRINCIPES

Principes sæculi nonnunquam intra ecclesiam potestatis adeptæ culmina tenent, ut per eandem potestatem disciplinam ecclesiasticam muniant. Ceterum intra ecclesiam potestates necessariæ non essent, nisi ut quod non [u]prævalent sacerdotes [fol.30. recto] efficere per doctrinæ sermonem [x]potestas [y]imperet [z]ad disciplinæ terrorem. Sæpe per regnum terrenum cœleste regnum proficit, ut qui intra ecclesiam positi contra fidem et [a]disciplinam agunt rigore principum conterantur. Ipsamque disciplinam, quam [b]utilitas ecclesiæ exercere non prævalet, cervicibus superborum potestas principalis imponat, et, ut venerationem mereatur, virtutem potestatis [c]impertiatur. Cognoscant principes [d]sæculi se Deo debere [e]esse reddituros rationem propter ecclesiam, quam a Christo tuendam suscipiunt. Nam sive augeatur pax et disciplina ecclesiæ per fideles principes, sive solvatur, ille ab eis rationem exigit, qui eorum potestati suam ecclesiam [f]tradidit.

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[s] [In the corpus juris Can. this is headed "in Remensi Concilio." But according to the Leips. Edd. it is not extant in the conc. Rem. but a like passage occurs in the excerptiones Egberti c. 19. (Mans. t. 12.) and in Cap. Car. M. c. 20. A. 801. and in c. 38. conc. Meld.]

[t] [Isidorus lib. iii. sent. de summo bono, c. 53.]

[u] [prævalet sacerdos]

[x] [*potestas hoc*]

[y] [So all coll. edd. exc. Ven. 1482, and 1490: and Par. 1506. who read impetret.—impleat: Ed. Leips.]

[z] [*per*]

[a] [disciplinam ecclesiæ]

[b] [*ecclesiæ* humilitas]

[c] [So Edd. Lyons, 1548: 1564.—impartiatur: the other coll. edd.—impertiat: Ed. Leips.]

[d] *sæculi Deo debere se rationem reddere*]

[Id. c. xlvi.]

MNIUM
o. Pon.
dicat sibi
thoritatum
buendi
lorum
gnum.

[g] Nicola'

Omnium vestrum nosse voluimus charitatem, quoniam quisquis quod non optantes dicimus, *in hoc belli certamine fideliter mortuus fuerit, regna illi cœlestia minime negabuntur.*

[Id. c. xlvii.]

COMMU-
CATORUM
n sunt
micidæ
i excom-
nicatos
idunt.

[h] Urba 2us

Excommunicatorum interfectoribus &c. *Non enim eos homicidas arbitramur, quos, adversus excommunicatos zelo Catholicæ matris* [i]*ecclesiæ ardentes, aliquos eorum trucidasse contigerit.*

23 Q. 8. [c. ix.]

INI
l. 30 verso]

[k] Leo 4us

Omni timore ac terrore deposito, contra inimicos sanctæ fidei et adversarios omnium religionum agere viriliter studete. Novit enim omnipotens, *si quilibet vestrum morietur, quid pro veritate fidei, et salvatione patriæ, ac defensione Christianorum mortuus est, et ideo ab eo præmium cœleste consequetur.*

[Id. c. xxi.]

NVENIOR

[l] Ambrosius

Convenior ipse a [m]comitibus, ut [n]per me basilicæ fieret matura traditio, dicentibus, imperatorum jure [o]suo jussisse, tradi debere, utpote in ejus potestate essent omnia. Respondi, si a me [p]petere quod meum est, id est fundum meum, argentum meum, [q]et hujusmodi meum, me non refragraturum, quanquam omnia, quæ mea sunt, [r]sint pauperum; Verum ea, quæ divina sunt, imperatoriæ potestati non [s]sunt subjecta. Si patrimonium [t]petit, invadite; si corpus, occurram. Vultis, [u]vincula rapere? vultis in mortem? [x]voluntas est mihi. Et mox: Allegatur, imperatori licere omnia, ipsius esse universa. Respondeo, Noli [y]gravare te, imperator, ut putes, te in ea, quæ divina sunt, imperiale aliquod jus habere; noli te extollere, sed, si vis diutius imperare, esto Deo subditus. Scriptum est; Quæ Dei Deo; &c. Et paulo post: Tributum Cæsaris est, non negatur. Ecclesia Dei est. Cæsari utique non [z]debetur, quia jus Cæsaris esse non potest templum Dei. Quod cum imperatoris honorificentia dictum nemo potest negare. Quid enim honorificencius, quam ut imperator ecclesiæ filios esse dicatur?

---

[e] [reddituros esse: all coll. edd.—reddere: ed. Leips.]

[f] [So all coll. edd. exc. Bas. 1481.—tradidit: ed. Leips.]

[g] [exercitui Francor. The Leipsic edd. say it is uncertain; by Ivo it is ascribed to Alex. ii.; in Decr. to Leo iv. The correctors remark that Ivo cites this passage from an epistle of Leo iv. ad exercit. Francor.]

[h] [Godofredo Lucan. Episc.]

[i] ecclesiæ: all coll. edd. exc. Strasb. 1471. Omitted in ed. Leips.]

[k] [Leo iv. exercit. Francor.; but according to the correctors and Leips. edd. this is not extant among his epistles.]

[l] [Ad Marcellinam sororem Ep. 23. Ep. 20. ed. Bened. A. 386.]

[m] [comitibus et tribunis]

[n] [ut basilicæ]

[o] [suo uti, eo quod in potestate ejus]

[fol. 31. recto]

24 Q. i. [c. xix.]

A RECTA [See vol. ii. 508. Ans. to Dev. Reb.]

[a] Lucius Papa Romana ecclesia non errat.

A recta: et mox; Hæc sancta et apostolica mater omnium ecclesiarum Christi ecclesia, *quæ per Dei omnipotentis gratiam a tramite apostolicæ traditionis nunquam errasse probatur, nec hæreticis novitatibus depravata succubuit,* sed, [c]ut exordio normam fidei Christianæ percepit ab authoribus suis Apost. Christi principibus, illibata [d]fidetenus manet.

[Id. c. x.]

MEMOR SUM [See vol ii. p. 508. Ans. to Dev. Reb.]

[e] Sixtus Papa

Memor sum, me sub illius nomine ecclesiæ præsidere, [f]cujus confessio a Domino Jesu Christo glorificata est, *cujus et fides nullam hæresim* [g]*fovet unquam*, Sed [h]quidem omnes hæreses destruit.

---

[p] [*peteret*]

[q] [jus hujusmodi]

[r] [essent]

[s] [So all coll. edd. exc. Bas. 1481. esse: ed. Leips.]

[t] [petitur]

[u] [*in vincula*]

[x] [So ed. Bas. 1481.—voluntati: ed. Strasb. 1471.—voluptati: ed. Leips.]

[y] [*te gravare*]

[z] [debet *adjici*]

[a] [Episc. Galliæ et Hisp.]

[c] [*ut in exordio*]

[d] [finetenus]

[e] [Sixtus ii. ad Gratum Episc. Ep. i.]

[f] [*cujus Domino Jesu Christo est confessio glorificata, et cujus fides*]

[g] [*unquam fovit*]

[h] [*omnes quidem*]

[Id. c. xii.]

OTIENS ee vol. ii. 08. Ans. to v. Reb.]

Quotiens [k]*ratio fidei ventilatur, arbitror omnes fratres et coëpiscopos nostros non nisi ad Petrum, id est sui nominis et honoris* [l]*authoritatem, referre debere.* Veluti nunc retulit vestra dilectio quod per totum mundum possit ecclesiis [m]omnibus prodesse. Innocentius Papa [i]

[Id. c. xiv.]

EC EST DES e vol. ii. 508. Ans. Dev. Reb.]

Hæc est fides, Papa beatissime, quam [o]in catholica dedicimus ecclesia, quamque semper [p]tenuimus; in qua si minus perite aut parum caute forte aliquid positum est, emendari cupimus a te, qui [q]Petri sedem et fidem tenes. Sin autem hæc nostra confes- . 31 verso] sio apostolatus tui judicio comprobatur, quicunque me culpare voluerit, se imperitum, vel malevolum, vel etiam non [r]catholicum, sed hæreticum comprobabit. [s]Ro. ecc. *quæ semper immaculata* [t]*permansit,* [u]et beato apostolo Petro opem ferente in futuro manebit, sine ulla hæreticorum [x]insultatione atque firma et immobilis, omni tempore persistet. [n] Hierous

[Id. c. xv.]

GAMUS

Rogamus vos, ([z]fratres dilectissimi) ut non aliud doceatis neque sentiatis, quam quod a Beato [a]Petro et reliquis apostolis et Patribus accepistis? Ipse enim [b]est caput totius ecclesiæ, cui ait Dominus: Tu es Petrus, et super hanc petram ædificabo ecclesiam meam. Ejus enim sedes primitus apud vos fuit, quæ postea (jubente Domino) Ro. translata est, cui (adminiculante gratia divina) hodierna præsidemus die. [c]Si vero vestra Antiochena quæ olim prima erat Ro: cessit se. nulla est quæ ejus Marcellus Papa. [y]

---

[i] [Episc. Concil. Milevit. ep. xxvi. A. 417.]

[k] [*fidei ratio*]

[l] [auctorem]

[m] [omnibus in commune prodesse.]

[n] [ad Damasum in Expos. Symb. Not Jerome's, according to Leips. edd.]

[o] [*in ecclesia catholica didicimus*]

[p] [tenuimus et tenemus]

[q] [*Petri et fidem et sedem*]

[r] [catholicum, non me hæreticum]

[s] [*Sancta Romana*]

[t] [mansit]

[u] [et Domino providente et *beato Petro apostolo*]

[x] [insultatione, firma]

[y] [universis episcopis per Antioch. const. ep. i.]

[z] [fratres, ut]

[a] [*Petro apostolo*]

[b] [*caput est*]

[c] [This passage follows the next sentence in ed. Leips.]

nol sit subjecta ditioni, nec ab ejus dispositione vos deviare oportet, *ad quam, cuncta majora ecclesiastica negotia* (*divinæ disponente gratia*) *jussa sunt* [d]*referrenda,* ut ab ea regulariter disponantur, a qua sumpsere principia.

24 Q 3. [c. xxi.]

SI QUIS DE Spoliatio clericorum et pauperum spectat ad judicium Episcopi. [fol. 32 recto]

CORLIUM TOLET[e]

Si quis de potentibus clericum, aut quemlibet pauperum, aut religiosum exspoliaverit, et mandaverit eum ad se venire episcopus, ut audiatur, et contempserit, invicem mox scripta percurrant per omnes episcopos provinciæ, et quoscunque adire potuerint, ut excommunicatus habeatur ipse, donec obediat, et reddat aliena.

Eadem di. Q 1. [Id. Quæstio i. c. xxvi.]

QUÆ DIGNIOR

Ambrosius[f]

Quæ dignior domus apostolicæ prædicationis ingressu, [g]quam Ro: ecclesia? aud quis præferendus magis omnibus videtur, quam Christus? qui pedes suis [h]consuevit lavare hospitibus, et quoscunque sua receperit domo, pollutis non patitur habitare vestigiis, sed maculosos [i]licet in ea acceperit, vitæ prioris, in reliquum tamen mundare dignatur processus?

25 Q 1. [c. v.]

VIOLATORES [See vol. ii. p. 508. Ans. to Dev. Reb.]

Damasus Papa[l] Violatores Canonum blasphemant Spiritum Sanctum.

Violatores Canonum voluntarii graviter a sanctis Patribus judicantur, et a Sancto Spiritu instinctu cujus ac dono dictati sunt damnantur, *quoniam blasphemare Spiritum Sanctum non incongrue videntur qui contra eosdem sacros canones non necessitate compulsi, sed libenter, ut præmissum est, aliquid aut proterve agunt, aut loqui præsumunt,* aut facere volentibus sponte consentiunt. Talis enim præsumtio manifeste unum genus est blasphemantium Spiritum Sanctum, quia, (ut jam prælibatum est,) contra eum agit, cujus nutu et gratia Sancti canones editi sunt.

[Id. c. vi.]

SUNT QUIDAM

Urbanus Papa[m]

Sunt quidem dicentes, Ro. Pontifici semper licuisse novas condere leges, quod et nos non solum non negamus, sed etiam valde affirmamus. Sciendum vero summopere est, quia inde novas leges condere potest, unde Evangelistæ aliquid et Prophetæ nequaquam dixerunt. *Ubi vero aperte Dominus, vel ejus Apostoli,* [n] *et eorum sequentes sancti Patres sententialiter aliquid* 32 verso] *diffinierunt, ibi non novam legem Ro. Pontifex dare, sed potius* [o] *quam prædicatum est usque ad animam et sanguinem confirmare debet.* Si enim quod docuerunt Apostoli et Prophetæ destruere (quod absit) niteretur, non sententiam dare, sed magis errare convinceretur. Sed hoc procul sit ab eis, qui semper Domini ecclesiam contra luporum insidias optime custodierunt.

---

[d] [*referri*]

[e] [Conc. Tolet. i. cap. 11. A. 400.]

[f] [in commentariis ad c. 9. Lucæ.]

[g] [*quam sancta ecclesia*]

[h] [lavare consuevit]

[i] [licet vitæ prioris]

[k] [dignatur]

[l] [Ad Aurelium Carthag.]

[m] [According to the Leipsic ed. not among the epistles of either Urban i or ii.]

[Id. c. viii.]

E QUOD
e leges
t, quas
unt ali-
ontra
anorum
ficum
itu-
s.
vol. ii.
Ans. to
Reb.]

Omne, quod irreprehensibile est, catholica defendit ecclesia. Injustum judicium et diffinitio injusta, regio metu vel jussu a judicibus ordinata, non [q] valeat. [r] *Nequaquam quod contra* [s] *evangelicam,* vel propheticam, aut apostolicam doctrinam *constitutionemve eorum sive Sanctorum Patrum actum fuerit, stabit,* et quod ab infidelibus vel hæreticis factum fuerit omnino cassabitur. MARCELLUS [p]

[Id. c. xi.]

ERALI
ta
norum
icum ab
ous sunt
vanda.
vol. ii.
ns. to
Reb.]

Generali [u] *decreto censemur constituimus, ut execrandum anathema sit, et* [x] *velut prævaricator* [y] *fidei catholicæ semper, apud Deum reus exsistat, quicunque regum, seu episcoporum, vel potentum deinceps Romanorum Pontificum decretorum censuram in quocunque crediderit, vel permiserit violandam.* Adrianus [t]

[Id. c. xvi.]

. Pon.
gatur
ibus.
ol. ii.
. Ans.
. Reb.]

Ideo: et mox: [a] His ita respondetur: *Sacrosancta Ro. ecclesia* [z] Leo 4^us^ *jus et authoritatem sacris canonibus impartitur,* Sed non eis alligatur. Habet enim jus condendi canones, utpote quæ caput est et cardo omnium ecclesiarum, *a cujus regula nemini dissentire licet.* Ita ergo canonibus authoritatem præstat, ut si ipsum non subjiciat eis. Sed sicut Christus, qui legem dedit, ipsam legem carnaliter implevit. Et mox: In præmissis ergo capitulis aliis imponitur necessitas obsequendi: summis vero Pontificibus ostenditur in esse auctoritas observandi, ut a se tradita observando aliis non contemnenda demonstrent, exemplo Christi, qui Sacramenta, quæ ecclesiæ servanda mandavit, Primo in se ipso suscepit, ut ea in se ipso sanctificaret. Oportet ergo primam sedem, ut diximus, observare ea, quæ decernendo mandavit, non necessitate obsequendi, sed authoritate impertiendi. Licet itaque sibi contra generalia decreta specialia privilegia indulgere, et speciali beneficio concedere quod generali prohibetur decreto.

---

[n] [*eos*] [o] [*quod*]

[p] Marcellinus, Ep. ii. So restored by the correctors. It had been Marcellus.]

[q] [*valet*] [r] [nec quicquam]

[s] [evangelicæ, vel propheticæ, aut apostolicæ doctrinæ constitutionem, successorumve eorum]

[t] [in Capitulis c. ult.]

[u] [decreto constituimus]

[x] [*veluti*]

[y] [catholicæ fidei]

[z] [Colorodo Archiep. et Bertuso.]

[a] [This is Gratian's.]

[fol. 33 recto]

25 Q 2. [c. xviii.]

SI QUIS DOG
[See vol. ii. p. 507. Ans. to Dev. Reb.]

Nicolaus ii
concilio un
versali. [b]

Si quis dogmata, mandata, interdicta, sanctiones, vel decreta pro [c] catholicæ fide vel ecclesiastica disciplina, pro [d] correctione *imminentium vel futurorum malorum a sedis apostolicæ Præsule salubriter promulgata contempserit, anathema sit.*

[fol. 33 verso is blank.]

De pœnitentia di. 1ª. [c. xlviii.]

[fol. 34. recto]
SERPENS
Sacrilegus est qui papatui mentitur.

[e] GLOSSA IBm

Serpens &c. Quod deo. ar. *quod sacrilegium committit, qui Papæ mentitur, ipse enim* obtinet vicem Dei viventis in terris.

[fol. 34 verso]

De consecratione. [Dist. i. c. iv.]

DE LOCORUM
Absque præcepto Romani pon. non licet ecclesiam construere, aut consecrare.

GELASIUS

De locorum [g] consecratione, quamvis superius strictim fuerit comprehensum, [h] mihi quoque patefactum est, *quod absque præcepto sedis apostolicæ nonnulli factas ecclesias vel oratoria facere præsumant.*

[Id. c. v.]

PRECEPTA

GELASIUS

Præcepta synodalia, &c. *Constat, sine summi Pontificis authoritate ecclesiam noviter conditam non posse dedicari.*

---

[b] [c. ult. A. 863.]

[c] [catholicæ fidei disciplina]

[d] [correctione fidelium, pro emendatione sceleratorum, vel interdictione imminentium]

[e] [This gloss is not in the Leips. ed.]

[f] [Episc. per Lucan. c. 27. A. 494.]

[g] [consecratione sanctorum]

[h] [nobis]

[i] ["caput incertum." Leips. edd.]

[Id. c. vi.]

BASILICAS

Basilicas noviter, &c. Satis indignum est, [l]quenquam pontificum vel ordinum subsequentium hanc observantium refutare, quam beati Petri sedem et sequi videat et docere; satisque conveniens sit, ut totum corpus ecclesiæ in hac sibimet observatione concordet, quam illic vigere conspiciat, ubi Dominus ecclesiæ totius posuit principatum.

[k] GELA

[Id. c. viii.]

ECCLESIA

Ecclesia, id est catholicorum collectio, quomodo sine apostolicæ sedis instituetur nutu, quando juxta sacra decreta *nec ipsa debet absque præceptione Papæ basilica noviter* [n]*institui*, quæ ipsam catholicorum intra semet amplecti catervam dinoscitur?

[m] NICOLAUS

[Id. c. xi.]

ICUT NON

[See Cranm.
ommon place
ook. Jenk.
ranm. iv.
34.]

Ielius est
on conse-
rare, quam
onsecrare in
oco non
acro.

orquet
ripturam.

Sicut non alii, quam sacrati [p]Deo sacerdotes debent missas [q]celebrare, nec sacrificia super altare offerre, sic [r]non in aliis, [s]quam in Domino consecratis locis, id est in tabernaculis divinis precibus a pontificibus delibutis missas cantare, aut sacrificia offerre licet, nisi summa coegerit necessitas. *Satius ergo est missam non cantare, aut non audire, quam in illis locis, ubi fieri non oportet; nisi pro summa* [t]*necessitate contingat*, quoniam necessitas legem non habet. Unde scriptum est, vide, ne offeras holocausta tua in omni loco, quem videris, sed in omni loco, quem elegerit Dominus Deus tuus. In domibus tamen ab episcopis sive presbiteris oblationes celebrari nullatenus licet.

[o] FELIX

[u] Felix

[Id. c. xvi.]

OLEMP-
ITA

onsecratio
cclesiæ non
t iteranda,
rtasse quia
nprimit
aracterem.

Solempnitates dedicationum ecclesiarum, &c. De ecclesiarum [x]consecrationibus quotiens dubitatur, [y]ut nec certa scriptura,

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[k] [Ibid. c. 6.]

[l] [quenquam vel pontificum]

[m] [Electo et Clero Nonensis Eccles.—caput temporis incerti.]

[n] [construi]

[o] Felix iv. omnibus orthodoxis]

[p] [Deo] [q] [cantare]

[r] [*nec*]

[s] [quam Domino sacratis]

[t] [contingat necessitate]

[u] [omnib. orthod. ep. i. c. 1 et 2.]

[x] [consecratione]

[y] [So all coll. edd. exc. Bas. 1481, and Lyons, 1515, which read "ubi."—et: ed. Leips.]

[z]nec testes exsistunt, a quibus consecratio sciatur, absque ulla [fol. 35 recto] dubitatione scitote eas esse consecrandas; nec talis trepidatio facit iterationem, quoniam non [a]monstratur iteratum quod [b]nescitur esse factum.*

*[See Cranm. common place book. Jenk. Cranm. iv. 234.]

[Id. c. xvii.]

SOLEMPNITATES Ad Judaismum nos vocat.

Solempnitates [d]ecclesiarum dedicationum et sacerdotum per [c]GREGOR singulos annos solempniter sunt celebrandæ, ipso Domino exemplum dante, qui ad festum dedicationis templi, omnibus id faciendi dans formam, cum reliquis populis eandem festivitatem celebraturus venit, sicut [e]scriptum: Facta sunt encænia in Hierosolimis, et hyems erat, et ambulabat Jesus in templo in porticu Salamonis. Quod autem octo diebus encænia sint celebranda, in libro Regum perlecta dedicatione templi reperes.

[Id. c. xxiv.]

DE FABRICA

De fabrica vero cujuslibet ecclesiæ, si diruta fuerit, instau- [f]JULIANUS randa, et si in eo loco consecrationis solemnitas debeat iterari, in quo sanctuaria non fuerint, nihil judicamus officere, si per eam minime jactetur [g]aqua exorcizata, quia [h]in consecratione cujuslibet ecclesiæ, in qua Spiritus Sancti arrha non ponitur, celebritatem scimus tantum esse missarum. It ideo, si qua sanctorum basilica a [i]fundamentis fuerit innovata sine altaris motione, sine aliqua dubitatione, cum quum in ea fuerit missarum solempnitas celebrata, totius [k]consecratio sanctificationis implebitur. Si vero sanctuaria, (quæ habebat,) ablata sunt, rursus eorum [l]depositione, et missarum solempnitate reverentiam sanctificationis accipiet.

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[z] [nec certi testes]

[a] [*monstratur esse iteratum*]

[b] [nescitur esse factum]

[c] [Rather Pseudo-Felix, according to the correctors, and the Leips. edd.]

[d] [dedicationum ecclesiarum]

[e] [*scriptum est*]

[f] [The correctors assign this to Vigilius, ad Eutherium, epist. i. c. 4. The Leipsic editors to Vigilius ad Profuturum. A. 538.]

[g] [aqua exorcizata]

[h] [consecrationem]

[i] [fundamentis etiam fuerit]

[k] [consecrationis sanctificatio]

[l] [repositione]

[Id. c. xxxviii.]

LIGNA ECC. Ligna ecclesiæ non possunt opus prophanum accommodari.

[m] IGINUS

Ligna ecclesiæ dedicatæ non debent ad aliud opus jungi nisi ad aliam ecclesiam, vel igni sunt comburenda, vel ad profectum in monasterio fratribus; in [n]laicorum opera non debent admitti.

[fol. 35 verso]

[Id. c. xxxix.][o]

ALTARIS Idem de vasis ecclesiæ

Altaris palla, cathedra, candelabrum, et velum, si fuerint vetustate consumpta, incendio dentur, quia non licet ea, quæ in sacrario fuerint, male tractari, sed incendio universa tradantur. Cineres quoque eorum in baptisterio [p]inserantur, ubi nullus transitum habeat; aut in pariete, aut in fossis pavimentorum jactentur, ne introëuntium pedibus coinquinentur.

[Id. c. xliv.]

VASA IN

[q] CONlium TRIBUR.

Vasa, in quibus sacrosancta conficiuntur misteria, [r]calices et patenæ, de quibus Bonifacius Martyr et episcopus, interrogatus, si licent in vasculis ligneis sacramenta conficere, Respondit: *Quondam [s]sacerdotes aureis sed ligneis calicibus utebantur.* Zephyrinus, [t]xv. Romanus Episcopus, *patenis vitreis missas celebrari constituit.* [u]Deinde Urbanus Papa *omnia ministeria sacra fecit argentea. In hoc enim, sicut et in reliquis cultibus, magis et magis per incrementa temporum decus succrevit ecclesiarum.* Nostris enim diebus, qui servi patrisfamilias sumus, ne decus matris ecclesiæ imminuatur, sed magis cumuletur et amplificetur, statuimus, ut deinceps nullus sacerdos sacrum mysterium corporis et sanguinis Domini nostri Jesu Christi in ligneis vasculis ullo modo conficere præsumat, ne, (unde placari debet,) inde irascatur Deus.

Crevit decus ecclesiæ

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[m] [Hyginus. "extat in cap. Theodori ed. a D'Acherio. t. I." Leips. edd.]

[n] [laicorum vero usum]

[o] [According to the Leipsic edd. this is in that part of the 2nd Ep. of the Pseudo-Clement, which was compiled under the name of the Præcepta S. Petri. edited by Baller; Opera Leonis M. t. 3. p. 674.]

[p] [*inferantur*]

[q] [c. 18. A. 895.]

[r] [calices sunt et: Ed. Leips.—"sunt" omitted in all coll. edd. exc. Strasb. 1471.]

[s] [non aureis sed: all coll. edd.—aurei ligneis: ed. Leips.]

[t] [*xvi.*]

[u] [Tum deinde]

[Id. c. lix.]

EPISCOPUS [x] ANACLETUS

Episcopus Deo sacrificans testes secum habeat. In solennioribus quippe diebus aut septem, aut quinque, aut tres diaconos, qui oculi ejus dicuntur, et subdiaconos, atque reliquos [fol. 36 recto] ministros secum habeat, qui sacris induti vestimentis a fronte et a tergo, et presbiteri e regione dextra lævaque, contrito corde et humiliato spiritu, ac prono stent vultu, custodientes eum a malevolis hominibus, et consensum ejus [y] præbentes sacrificio. *Peracta autem* [z] *consecratione communicent, qui noluerint ecclesiasticis carere liminibus.*

Olim omnes communicabant.

[Id. c. xii.]

OMNES [a] CANO. APOSTOLORUM

Omnes fideles, qui conveniunt in solempnitatibus sacris ad ecclesiam, et scripturas Apostolorum et evangelium audiant. Qui autem non perseverant in oratione, usque dum missa peragatur, *nec Sanctam Communionem percipiunt,* velut inquietudines ecclesiæ commoventes convenit communione privari.

De consecra. di. 1ª. [c. lxix.]

[b] Gregorius Papa

Omnis Christianus procuret ad missam solemnia aliquid Deo offerre, et ducere ad memoriam quod Deus per Moysen dixit, Non apparebis in conspectu meo vacuus. [c] In collectis sanctorum patrum liquido apparet, quod omnes Christiani offerre aliquid ex usu sanctorum patrum debent. ad ipsum enim prius [d] confugiendum est, [e] qui nostræ et nostrarum possit animæ passiones, verum homines præpostero ordine ante sibi opem ab hominibus [f] accersiunt, ubi autem humana subsidia defecerint, tunc opinantur divini postulandum favoris gratiam. [g] *Et est concilium in diebus privatis scilicet, sed in diebus festivis præceptum;* et ita videtur, quod oblationes sint ex debito exigendæ, et [fol. 37 recto] ad eas dandas perrochiani sunt cogendi. Et mox: credo quod si sacerdos pauper est, potest eis divina officia subtrahere, nisi dent ei oblationes.

Glossa

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[x] [omnibus episc. epist. 1.]

[y] [præbeant]

[z] [consecratione omnes communicent]

[a] [c. 10.]

[b] [Greg. vii. in Syn. Rom. c. 13. A. 1078.]

[c] [Etenim in]

[d] [est confugiendum]

[e] [qui nostræ curare possit]

[f] [accersunt]

[g] [The remainder is gloss, not in the Leips. ed.]

[Id. c. lxx.]

QUANDO Quando autem stamus ad orationem (fratres dilectissimi,) [h] CYPRIANUS
[i] invigilare et incumbere ad preces toto corde debemus; cogitatio omnis carnalis et sæcularis abscedat, nec quicquam tunc [k] animus aliud quam id solum cogitet, quod precatur. Ideo et sacerdos ante orationem præfatione præmissa parat fratrum mentes, dicendo, Sursum corda, ut dum respondet plebs: Habemus ad Dominum, admoneatur, [l] se nihil aliud quam Dominum cogitare debere. Claudatur contra adversarium pectus, et soli Deo pateat, nec ad se hostem Dei tempore orationis [m] venire patiatur.

[Id. c. lxxii.]

VISUM *Visum præterea nobis est, ut in omnibus missarum solempnibus* [n] CON. CABIL.
pro [o] *spiritibus defunctorum* [p] *loco competenti* in ecclesia ad Dominum [q] deprecentur. Sicut enim nulla dies excipitur, qua non pro viventibus et pro quibuslibet necessitatibus Dominus deprecetur: Ita nimirum nulla dies excipi debet, quin pro animabus fidelium preces Domino in missarum solempnibus fundantur. Antiquitus igitur hunc morem sancta tenet ecclesia, ut et in missarum solempnibus, [r] et aliis precibus Domino Spiritus quiescentium [s] commendetur, dicente beato Augustino: *Non sunt prætermittendæ supplicationes pro spiritibus* [t] *mortuorum, quas faciendas pro omnibus in Christiana et catholica societate laudamus.*

[fol. 37. recto] De consecratione D. 3. [c. xi.]

DE ESU De esu carnium apud vos vetustissima, et non improbanda [u] Leo 4°
traditio. Semper est tenenda, ut a cœnæ termino, quæ fit in principio noctis quartæ feriæ, quæ lucescit in quarta feria,

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[h] [Serm. vi. de orat. dom.]

[i] [vigilare]

[k] [alius: all coll. edd.—animus quam: ed. Leips.]

[l] [*nihil se aliud*]

[m] [adire]

[n] [Conc. Cabil. ii. c. 39. A. 813.]

[o] [*defunctorum spiritibus*]

[p] [So all coll. edd. exc. ed. Bas. 1481, which reads, ecclesia Dominum.—loco competenti Dominus: ed. Leips.]

[q] [*deprecetur*]

[r] [*et in aliis*]

[s] [commendarentur: ed. Bas. 1481.—commendentur: ed. Par. 1506, and Lyons, 1515.—commendantur: the other edd.—commendet: ed. Leips.]

[t] [defunctorum]

[u] [Of uncertain date. Leips. edd.]

usque in diluculum quintæ feriæ, et similiter a cœna noctis sextæ feriæ, quæ lucescit in sexta feria, non imperite jejunatio usque ad sabbati lucem, quamtum de diei parte aliquis jejunare maluerit vel debuerit, protendatur.

[Id. c. xii.]

PERVENIT [* Sic] [x] GREGO

Pervenit ad me, quosdam perversi spiritus homines [y]priva inter vos aliqua et sanctæ fidei adversa seminasse, ita ut die sabbati aliquid operari prohiberent. Quos quid [z]aliud in antichristi prædicatores [a]dixerimus? qui veniens diem sabbatum atque dominicum ab omni faciet opere custodiri. Qui enim mori se et resurgere simulat, haberi in veneratione vult diem dominicum; et quia [b]populum judaizare compellit, ut exteriorem legis ritum revocet, et sibi Judæorum perfidiam subdat, coli vult sabbatum.

[Id. c. xiii.]

SABBATO [c] Innocentim Papa

Sabbato vero jejunandum esse, ratio evidentissima demonstrat. *Nam, si diem dominicam ob venerabilem resurrectionem Domini nostri Jesu Christi* non solum in Pascha celebramus, verum etiam per [d]singulos hebdomodas ipsius diei imaginem frequentamus, [e]*ac sicut sexta feria propter passionem Domini jejunamus,* [f]*sic sabbatum prætermittere non debemus, quoniam* [g]*intra tristitiam et lætitiam temporis illius videtur inclusum.* Nam utique constat, Apostolos biduo isto et in mœrore fuisse, et propter metum Judæorum se [h]occultasse. Quod utique non dubium est in tantum eos jejunasse biduo memorato, ut traditio ecclesiæ [fol. 37 verso] habeat [i]ista biduo sacramenta penitus non celebrari. [k]Quæ forma etiam per singulas tenenda est hebdomadas propter id, quod commemoratio diei illius semper est celebranda. Quod si putant semel atque uno sabbato jejunandum, ergo et dominica, et sexta feria semel in Pascha erit utique celebranda.

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[x] [Ep. i. l. 13. ed. Bened. A. 603.]

[y] [prava]

[z] [aliud nisi antichristi]

[a] [dixerim]

[b] [judaizare populum]

[c] [Ep. i. ad Decentium. c. 4. A. 416.]

[d] [singulos circulos hebdomadarum]

[e] [So all coll. edd. exc. Lyons, 1564, which reads, at sicut. — ac sexta: ed. Leips.

[f] [So edd. Bas. 1481: Lyons, 1515, 1548, 1564. — sic: omitted in ed. Leips.]

[g] [inter]

[h] [occuluisse]

[i] [isto]

[k] [Quæ utique forma per]

[Id. c. xiv.]

JEJUNIUM

[l] MELCHIADES PAPA

Jejunium dominici diei, et quintæ feriæ nemo celebrare debet, ut inter jejunium Christianorum et gentilium, [m]vel veraciter [n]credentium fidelium atque hæreticorum, vera et non falsa discretio habeatur.

[Id. c. xvi.]

JEJUNIA

[o] Sanctus Apolonius

Jejunia sane legitima, id est quarta et sexta feria, non sunt solvenda, nisi grandis aliqua necessitas fuerit, *quia quarta feria Judas* [p]*traditionem Domini cogitavit, sexta feria crucifixus est Salvator. Videbitur ergo, qui in his diebus* [q]*sine necessitate solverit statuta jejunia, vel cum tradente tradere Salvatorem, vel cum crucifigentibus crucifigere.* Die autem dominica nihil aliud agendum est, [r]Deo vacandum. Nulla operatio in illa die sancta agatur, nisi [s]cum hymnis, et psalmis, et canticis spiritualibus dies illa transigatur.

De con. di. 5. [c. iii.]

DE HIS
Magis veneranda est confirmatio quam baptismus.

[t] MELCHI

De his vero, &c. Sicut unum a [u]majoribus, id est summis pontificibus est accommodatum quod nisi majoribus fieri non potest, ita *et majori veneratione venerandum et tenendum.* Et mox ; *Et unum sine altero rite perfici non potest.*

[Id. c. iv.]

MANUS
Confirmatio si a Presbitero fiat inanis est.
[fol. 38 recto]

[x] EUSEBIUS PAPA

Manus quoque impositionis, &c. Nec ab aliis, quam qui eorum tenent locum, unquam perfici potest aut fieri debet. *Nam si aliter præsumptum fuerit, irritum habeatur et vacuum, et inter ecclesiastica nunquam reputabitur sacramenta.*

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[l] [ad Episc. Hispan. cap. 3.]

[m] [So edd. Lyons, 1548, 1564.—“vel” omitted in ed. Leips.]

[n] [credentium et infidelium]

[o] [Occurs in Palladius, in vita Apoll. Abbatis, according to the collectors. From the Vitæ SS. Patrum, Rufino interp. b. 2. c. 7. according to the Leips. edd.]

[p] [de traditione]

[q] [sine aliqua necessitate]

[r] [*nisi Deo*]

[s] [*nisi tantum hymnis*]

[t] [Melchiades in Ep. ad Episc. Hisp. c. 2.]

[u] [majoribus fit, id est, a summis pontificibus, quod a minoribus fieri]

[x] [ad Episc. Tusciæ et Campaniæ.]

[Id. c. vi.[y]]

UT JEJUNI Non sumus Christiani ante confirmationem.

Ut jejuni ad confirmationem &c. *Nunquam erit Christianus, nisi confirmatione episcopali fuerit chrismatus.*

[Id. c. xxiv.]

NON MEDIOCRITER

[z] Hierous.

Non mediocriter errant qui bono magno præferunt mediocre bonum. *Nonne rationabilis homo dignitatem amittit, qui vel jejunium charitati, aut vigilias præfert sensus integritati,* ut propter abstinentiam immoderatam, atque indiscretam psalmorum vel officiorum decantationem aut amentiæ aut tristitiæ notam incurrat? *Numquid verborum multitudine flecti Deus ut homo potest? Non enim verbis tantum, sed corde orandus est Deus*[a]. *Quapropter melior est quinque psalmorum decantatio cum cordis puritate et serenitate* [b]*ac spirituali hilaritate, quam totius psalterii modulatio cum anxietate cordis* [c]*atque tristitia.*

[Id. c. xxxii.]

CARNEM

Fructuosus Epus.[d]

Carnem cuiquam monacho nec gustandi, nec [e]sumendi est concessa licentia, non quod creaturam Dei judicemus indignam, sed quod carnis abstinentia utilis et apta monachis æstimetur, servat tamen moderamine pietatis erga ægrotos. Quod si quis monachus violaverit, et contra sanctionem regulæ usumque veterum vesci carnibus præsumpserit, sex mensium spatio retrusioni et pœnitentiæ subjacebit.

[fol.38. verso]

[Id. c. xxxiii.]

NUNQUAM

[f] Hierous.

Nunquam de manu tua [g]vel oculis [h]tuis liber psalterii discedat: dicatur ad verbum, oratio sine intermissione. [i]Vigil et sensus nec vagis cogitationibus patens; corpus pariter et animus tendatur ad Dominum. Iram vince patientia. Ama scientiam scripturarum, et carnis vitia non amabis. Nec vacet mens tua variis perturbationibus, quæ, si pectori insederint, dominabantur tui, et te deducent ad delictum maximum. Facito aliquid operis, ut [k]semper diabolus inveniat te occupatum. Si apostoli, habentes potestatem de evangelio vivere, laborabant manibus suis, nequem gravarent, et aliis tribuebant refrigeria, quorum pro spiritualibus debebant metere carnalia: cur tu in usus tuos [l]successura præpares? Vel fiscellam texe junco, vel canistrum lentis plecte viminibus; [m]seratur humus; accolæ æquo limite dividantur, in quibus cum olerum [n]fuerint jactata semina, vel plantæ per ordinem positæ, aquæ ducantur irriguæ [o]sic pulcherrimorum versuum spectator assistas;

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[y] [Ex Concil. Aurel. c. 3. "Extat apud Herard.Turon.c.75."Leips.edd.]

[z] [In regula monachorum, ex Hieron. collecta. Leips. edd.]

[a] [Deus. Melior]

[b] [*et*] [c] [*atque*]

[d] [in c. 5. prioris regulæ Fruct. edita ab Holstenio.—Leips. edd.]

[e] [*sumendi, nec gustandi*]

[f] [ad Rustic. Monach. de vivendi forma.]

[g] [So all coll. edd. exc. Bas. 1481. which reads, aut oculis.—et oculis: ed. Leips.]

[h] [tuis recedat liber; dicatur]

[i] [vigilet sensus, nec]

irgi. Geor. . I. v. 108.]

ECCE SUPERCILIO CLIVOSI TRAMITIS UNDAM
ELICIT; ILLA CADENS RAUCUM PER LÆVIA MURMUR
SAXA CIET, SCATEBRISQUE ARENCIA TEMPERET ARVA.

Inserantur [p]fructuosæ arbores vel gemmis, vel surculis, ut parvo post tempore laboris tui dulcia poma decerpas. Apum fabricare rov. vito. a. alvearia, ad quas te mittunt Salomonis proverbia, [q]Monasteriorum ordinem ac regiam disciplinam in parvis disce corporibus. Texantur et [r]lina capiendis piscibus. Scribantur [s]et libri, ut et manus operetur cibum, et animus [t]saturetur lectione. In del.39. recto] sideriis autem est omnis otiosus. *Ægyptiorum monasteria hunc morem tenent, ut nullum absque operis labore suscipiant,* non tam propter victus necessitatem, quam propter animæ salutem, ne vagentur [x] perniciosis [y]cogitationibus, et instar fornicantis Hierusalem[z] Israel, omni transeunti divaricet pedes suos. Et in sequentibus: Quid ergo, [a]peribunt omnes, [b]qui urbibus habitant? Ecce illi fruuntur suis rebus, ministrant ecclesiis, adeunt balnea, unguenta non spernunt, et in omnium flore versantur. Ad quod [c]etiam ante respondi, et nunc breviter respondeo, nec in præsenti opusculo non de clericis disputare, sed monachum instituere.

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[k] [*semper te diabolus inveniat occupatum*]

[l] [So all coll. edd. exc. Lyons 1548 and 1564.—successuras: ed. Strasb. 1471.—cessura: ed. Leips.]

[m] [So all coll. edd. exc. Lyons 1548 and 1564.—saniatur: ed. Leips.]

[n] [jacta fuerint]

[o] hic: all coll. edd.—ut: ed. Leips.]

[p] [infructuosæ]

[q] [*et monasteriorum*]

[r] [*linea*]

[s] [scribantur libri]

[t] [lectione saturetur]

[u] [So all coll. edd. exc. Bas. 1481: and Lyons 1548, 1564. The two latter read, enim.—desideriis est: ed. Leips.]

[x] [vagetur]

[y] [cogitationibus mens, et]

[z] [Hierusalem, omni]

[a] [*omnes peribunt*]

[b] [*qui in urbibus*]

[fol. 29. verso blank]

[fol. 40. recto] Decre. Prooemium [scil. Bonifacii viii ad Libr. Sextum Decretalium.]

Sacrosancte Romane Ecclesie, quam imperscurtabilis divinæ providentiæ altitudo universis dispositione incommutabili prætulit ecclesiis, et totius orbis præcipium obtinere voluit [d]magistratuum.

Clemen. Prooemium. Papa i.

Papa[e], id est admirabilis, et dicitur a pape quod est interjectio admirantis, et vere admirabilis, quia vices Dei in terris gerit, inde dixit ille Anglicus in poetria nona, [f]Papa stupor mundi, et mox.

Quoniam[g] nulla juris.—GLO. nec Deus es nec homo, quasi neuter est inter utrumque.

[fol. 40. verso blank]

[fol. 41. recto]

Decretales.

De consuetudine. [i. iv. 2.]

EX LITTERIS ..... Si vero [i]aliquis professiones aliquas claustris vel aliis [h] Innoc. 3us. religiosis locis in bona valetudine vel ultima voluntate constitutus *pro suorum vult remedio peccatorum conferre*, [k]hanc conferendi formam esse [l]proponis, quod in hujusmodi donationibus modicum terræ consuevit [m]manu accipere, vel in extremitate pallii, quod [n]manu prælati ecclesiæ sustinetur, aut super altare ponendum sub testimonio videntium et audientium, sub dicta forma, quæ scotatio vulgariter appellatur. Et inde, [o] Discr. v. Mandamus, quatenus donationes eorum, quæ sub obtentu consuetudinis claustris, ecclesiis, vel quibuslibet locis religiosis pie [p] conferendis vel et sunt collata, faciatis irrevocabiliter observari, cum hujusmodi signum, quod scotatio dicitur, non tam factæ donationis, quam traditæ possessionis sit evidens argumentum.

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[c] [*et*]

[d] [*magistratum*]

[e] [This gloss is not in the Leipsic ed.]

[f] [In ed. Antw. 1573, the passage runs thus: "Papa, stupor mundi; et circa finem, Qui maxima rerum, nec Deus est, nec homo, quasi neuter es inter utrumque."]

[g] These are the first words of the gloss.]

[h] [Innoc. 3. archiep. et Capit. Lugd.]

[i] [aliquis]

[k] [hanc ecclesiæ conferendi]

[l] [proponitis]

[m] [in manu]

[n] [episcopi vel cujuslibet alterius prælati]

Extravagant. de Consuetudine. [i. 1.]

SUPER GENTES . . . . Nos, hujusmodi consuetudinem non tam irrationabilem, Joan. 22us. quam nonnunquam animarum saluti contrariam detrahentemque apostolicæ potestati [q] apostolica authoritate penitus reprobantes, legatos ipsos ab omnibus, cujuscunque præeminentiæ, conditionis aut status fuerint, debere admitti decernimus, nec eos prætextu cujusvis consuetudinis [r] impedire posse a quoquam, Christiano nomine gloriante, quo minus regna, provincias et terras quaslibet, ad quæ ipsos destinari contigerit, ingrediantur libere, ac commissæ sibi legationis officium exerceant in eisdem. *Qui vero de cetero super prædictis dictos legatos, aut etiam nuncios, quos ad quascunque partes pro causis quibuslibet, sedis ipsa transmiserit, præsumpserint impedire, ipso facto sententiam excommunicationis incurrant. Regna, terræ et loca quælibet subjecta eisdem tamdiu sint eo ipso ecclesiastico supposita interdicto, quamdiu in hujusmodi contumacia duxerint persistendum.* Non obstantibus quibuslibet indulgentiis aut privilegiis, imperatoribus ac regibus, seu quibuscunque aliis sub quibuscunque modis, tenoribus et formis, a sede ipsa concessis, quæ contra præmissa nulli volumus suffragari.

Romanus Pon. cogit principes admittere legatos suos.

[fol. 41. verso blank]
[fol. 42. recto]

De electione et electi pote. [cap. 4.]

SIGNIFIC. Significasti. *Et mox; Nonne malum est ab ecclesiæ unitate et* [s] Pascalis *a sedis apostolicæ obedientia resilire,* [t] *et* contra sacrorum canonum statuta prorumpere? [u] Quod multi etiam post sacramentum præstitum præsumpserunt. Et i^n. Hoc *nimirum malo ac necessitate compellimur juramentum pro fide, pro obedientia, pro unitate*

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[o] [Discretioni vestræ per apostolica scripta mandamus]

[p] [*conferuntur, vel etiam sunt*]

[q] [*authoritate apostolica*]

[r] [*impediri*]

[s] [Pasch. ii. Panormit. Archiep.—Mans. xx. 984.]

[t] [et nonne malum est contra]

[u] [Quod quam multi]

requirere. Aiunt in conciliis statutum non inveniri, quasi. Ro. ecclesiæ legem concilia ulla præfixerint, cum omnia concilia per Romanæ ecclesiæ auctoritatem et facta sint, et robur acceperint, et in eorum statutis Ro. Pontificis patenter excipiatur authoritas. etc.

[Id. cap. 6.]

LICET

Licet . . . . *et mox.* Ex hoc tamen nullum canonicis constitutionibus, et aliis ecclesiis præjudicium generetur,[x] in [y]quibus majoris et sanioris partis debet sententia prævalere; quia quod in [z]eis in dubium venerit, superioris poterit judicio diffiniri. In Ro. vero eccl. speciale aliquid constituitur, quia non poterit ad superiorem recursus haberi.

ALEXAN. 3us.

[Id. c. xxxiv.[a]]

VENERABILEM

Ad Romanum Pontificem spectat transferre imperium: in imperatorem.

Venerabilem. *Et mox. Præsertim, cum ad eos jus et potestas hujusmodi ab apostolica sede pervenerit, quæ Ro. imperium in personam magnifici Caroli a Græcis transtulit in Germanos.* Sed et principes recognoscere debent, et utique recognoscunt, sicut iidem in nostra recognovere præsentia, *quod jus et authoritas examinandi personam electam in regem et promovendam ad imperium ad nos spectat,* qui enim inungimus, consecramus, et coronamus.

et examinare electum in imperatorem.

Et mox. Quod autem, cum in electione vota principum dividuntur, post admonitionem et exspectationem alteri partium favere possimus, maxime postquam a nobis unctio, consecratio et coronatio [b]postulantur, jure patet pariter et exemplo.

Et paulo post. Idem etiam contra propium juramentum, super quo nec consilium a se. ap. requisivit, ambitionis vitio regnum sibi usurpare [c]præsumpsit, cum super illo juramento prius Ro. eccl. consuli [d]debuisset. Nec valet ad plenam excusationem ipsius, si juramentum illud dicatur illicitum, cum nihilominus super eo nos prius consulere debuisset, quam contra ipsum propria temeritate venire, præsertim illo exemplo, quod quum Gabaonitæ a filiis Israel per fraudem surripuerint [e] juramenta, ipsi tamen cognita fraude contra illud venire temere noluerunt. *Utrum vero dictum juramentum sit licitum vel illicitum, et ideo servandum án non servandum exstiterit, Nemo sanæ mentis ignorat ad nostrum judicium pertinere.*

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[x] [Alex. iii. Conc. Lat. iii. c. 1. A. 1179.]

[y] [*quibus debet majoris et sanioris partis sententia*]

[z] [eis dubium]

[a] [Innoc. iii. Duci Caringiæ.]

[b] [postulantur, sicut utraque pars a nobis multoties, postulavit, ex jure]

[c] [præsumpsit, non alium causa necessitatis in regem eligere, quod utcunque tolerabilius videretur, quum super]

[d] [debuisset, sicut et eam quidam consuluere prudenter, apud quam ex institutione divina plenitudo residet potestatis. Nec valet]

uæ jura-
ienta ser-
anda sunt,
quæ non,
ectat ad
o : pon :
dicare.

ol.42. verso]

Et mox: Nobilitatem ergo tuam monentes per apostolica scripta *mandamus*, [f] *quatenus*, a præfato duce recedas, *omnino non obstante juramento, si* [g] *quid ei ratione regni fecisti*, quum, (eo quantum ad obtinendum imperium reprobato,) juramentum hujusmodi non debeat observari.

l.42. verso]

Sextus Li. De.

De Electione. [cap. xvii.]

NDAMEN-

ee Append.
** Letter
Queen
ry, p. 591.]

Nicola.3us.

. . . . . Hujus autem muneris sacramentum ita Dominus ad omnium Apostolorum voluit officium pertinere, ut in beato Petro Apostolorum omnium summo principaliter collocaret, ut ab ipso, quasi quodam capite, dona sua velut in corpus omne diffunderet. Hunc enim, in consortium individuæ unitatis assumptum, id, quod ipse erat, [h] voluit Dominus nominari, dicendo: Tu es Petrus, et super hanc petram ædificabo ecclesiam meam, ut æterni templi structura, Deo ædificante constructa, mirabili munere gratiæ Dei in Petri consisteret firmitate, [i] cujus salvatoris nostri miranda provisio beatum Paulum in apostolatu gentium per dexteras societatis adjunxit. Isti sunt, per quos evangelium Romæ resplenduit. Isti sunt ejus patres verique pastores. Isti sunt, qui una die pro merito, uno loco pro gloria, sub uno persecutore pro parili virtute [k] et compassi, Urbem ipsam glorioso cruore martirii Christo Domino consecrarunt. Isti sunt, qui illam in hanc gloriam provexerunt, ut sit gens sancta, populus electus, civitas sacerdotalis et regia, per sacram beati Petri sedem caput totius orbis effecta. Ne [l] ipsa autem mater ecclesia in congregatione et pastura fidelium temporalibus careret auxiliis, quia potius ipsis adjuta, spiritualibus semper proficeret incrementis: non absque miraculo factum esse concipitur, ut occasionaliter Constantius monarchæ a Deo provisa, sed curata baptismalibus fomentis infirmitas, quandam quasi adjiceret ipsi ecclesiæ firmitatem; qui quarto die sui baptismatis una cum omnibus satrapis et universo senatu, optimatibus etiam et cuncto populo, in persona [m] sancti Silvestri, sibi Romanam concedendo urbem relinquens, ab eo et successoribus ejus per Roma. pragmaticum constitutum disponendam esse, *decernens in ipsa urbe utriusque potestatis monarchiam Romanis Pontificibus, declararet, non justum arbitrans, ut, ubi sacerdotii principatum et* [fol.43. recto] *Christianæ religionis caput imperator cœlestis instituit, illic imperator terrenus habeat potestatem; quin magis ipsa Petri sedes, in Romano jam proprio solio collocata, libertate plena in suis agendis, per omnia potiretur, nec ulli subesset homini, quæ ore* GLOSA. *divino cunctis dignoscitur esse prælata.* GLOSA: Nec ulli subesset homini] [n] Et in hac parte papa non est homo, sed Dei vicarius, ut sequitur 33. q. 2.[o] quos Deus; expressius et de transla. [p] quanto.]

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[e] [*juramentum*]

[f] [quatenus, sicut de gratia nostra confidis, et nos de tua devotione speramus, de cætero a præfato duce Philippo recedas]

[g] [*quod*]

[h] [Dominus voluit]

[i] [*cui*]

[k] [*virtute compassi*]

[l] [*autem ipsa*]

[Id.]

Et mox,

De fratrum nostrorum consilio hæc irrefragabili et in perpetuum valitura constitutione sancimus, ut, quandocunque et quotiescunque senatoris electio vel alterius, quocunque nomine censeatur, qui quocunque modo vel quocunque titulo ipsius Urbis debeat præesse regimini, in posterum imminebit, nullus imperator seu Rex Romanorum, ut alius imperator, vel rex, princeps, marchio, dux, comes, aut baro, vel quicunque alterius notabilis præeminentiæ, potentiæ, seu potestatis, excellentiæ, d regimen rbis nemo ligatur, sine omani Pon-ificis licentia peciali.

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[m] [*beati*]

[n] [This Gloss is not in the Leips. ed.]

[o] [c. xviii. "Quos Deus conjunxit, homo non separet. Quæris quomodo? Subaudi violenter, sine lege, absque ratione quos Deus conjunxit homo non separet. Non enim homo separat quos pœna condemnat, quos reatus accusat, quos maleficium coarctat.—Gratian. *Verum hoc pro his dictum intelligitur, quos judices sæculi pro suis sceleribus legum severitate percellunt, quos vel morte puniunt, vel deportari jubent.*"

[p] [Decret. Greg. i. vii. 3. See post, p. 826.]

vel dignitatis, exsistat, frater, filius, vel nepos eorum ad tempus vel in perpetuum, seu quivis alius ultra annale spatium quovis modo, colore, vel causa, per se vel aliam personam quomodolibet submittendam, *in senatorem, capitaneum, patricium aut rectorem, vel ad ejusdem Urbis regimen seu officium nominetur, eligatur, seu alias etiam assumatur, absque licentia sedis apostolicæ speciali, per ipsius sedis literas concessionem licentiæ hujusmodi specialiter exprimentes.* Quodsi secus factum fuerit, nominationem, electionem, et assumptionem hujusmodi decernimus esse nullas, et carere omni robore firmitatis, et non solum nominatores, electores, et assumptores, verum etiam nominati, electi, et assumpti, si hujusmodi nominationi, electioni [q]et assumptioni consenserint, aut se de ipsis quolibet modo intromiserint, intendentes et obedientes eisdem, et in hoc omnes, dantes ipsis nominatoribus, electoribus, assumptoribus, aut nominatis, electis, [r]assumptis auxilium, consilium vel favorem publice vel occulte, cujuscunque dignitatis vel præeminentiæ, conditionis aut status exstiterint, eo ipso sententiam excommunicationis incurrant, ac nihilominus ipsos nominatos, electos, seu assumptos, si contra constitutionem præsentem prædictis nominationi, electioni vel assumptioni consenserint, aut [s]si quoquo modo illis ingesserint, et eorum posteros in perpetuum omnibus feudis, privilegiis, libertatibus, immunitatibus, gratiis et honoribus, quæ a prædicta seu aliis tenent ecclesiis, censemus esse privatos ita, quod illi, ad quos eorum collatio, concessio seu dispositio pertinet; resumendi ea aut retinendi, concedendi seu conferendi aliis, seu de ipsis etiam disponendi, (prout ad eos pertinet,) liberam habeant potestatem. [ol.43. verso] Et ne taliter nominati, electi vel assumpti de sua pertinacia vel contemptu valeant gloriari: nos quælibet mandata, præcepta, ordinationes et statuta, quæ fecerint, omnesque sententias, quas tulerint, et quicquid penitus in contractibus et obligationibus seu quibuscunque aliis Urbis nomine vel tanquam senatores, capitanei, patricii, aut rectores vel officiales ipsius egerint, irrita prorsus ex nunc et vacua nunciamus. Judices vero et tabelliones, qui super his aut eorum aliquibus contra præsentis constitutionis edictum patrocinari vel instrumenta conficere forte præsumpserint, Judicatus et tabellionatus officiis se noverint esse privatos. *Contemptores quoque seu violatores præmissorum, vel aliquorum vel alicujus eorum, ab hujusmodi excommunicationis sententia, (præterquam in mortis articulo,) absolvi non possint, nisi per Romanum Pontificem, vel de ipsius petita et obtenta licentia speciali, non obstantibus aliquibus privilegiis, indulgentiis, concessionibus, constitutionibus, consuetudinibus et statutis quacunque firmitate vallatis, quæ* in præmissis omnibus nolumus aliquibus vel alicui suffragari, sed omnia quoad illa decernimus non tenere. Ut autem cives Romanorum, qui ex ipsa Urbe naturalem duxisse noscuntur originem, aut quivis alii, qui in ipsa ejusve territorio non advenæ, sed continui habitatores exstiterant, quoad honores ipsius Urbis aut regimen gratiosis functionibus potiantur; non intendimus, quod præsens constitutio tales excludat, quia ad unum annum duntaxat, vel ad aliud tempus brevius [t] nominatim ad ipsius regimen et officium eligi valeant ac assumi, etiamsi prædictorum principum et aliorum fratres, filii vel nepotes exsistant, aut [u] si etiam extra Urbem et ipsius territorium sub nomine comitatus, baroniæ seu cujuscunque alterius tituli in hominibus vel locis aliquibus jurisdictionem seu potestatem aliquam temporalem vel perpetuam obtinerent; dummodo prædicta jurisdictio vel potestas, extra Urbem et territorium præfata consistens, non tantæ præeminentiæ vel notabilis potentatus exsistat, quod eam obtinentes ejus occasione vel causa cum aliis, exclusis a dicto Urbis regimine, (ut præmittitur,) præsentis constitutionis oraculo rationabiliter includantur.

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[q] [seu]

[r] [vel assumptis: ed. Leips.—et assumptis: Böhn.]

[s] [*se*]

Glosa FUNDAMENTA

ROMANUS RODIT, QUOS RODERE NON VALET, ODIT.

Jo. And.

[x] Glosa. Fundamenta. Dicebat et hic [y] Jo. Mo. quod Roma fundata a prædonibus adhuc de primordiis retinet. dicta Roma *quasi rodens manus,* et versum ponit,

ROMA MANUS RODIT, QUOS RODERE NON VALET, ODIT.

Jo. And.

[fol.44. recto]

De transla. Episcoporum. [Tit. vii. cap. iii.]

QUANTO Romanus Pontifex ve-

Quanto. [z] Cum ex illo—et paulo post. Quanto personam.

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[t] [*nominari*]

[u] [etiamsi]

[y] [i. e. Johannes Mona]

[x] [This gloss is not in the Leips. ed.]

[z] This is the beginning of the 1st Chapter of the same Title.]

ram Dei vicem gerit, et de ejus potestate. [See vol. ii. p. 508. Ans. to Dev. reb.]

Et mox. Quos Deus conjunxit homo non [a]separet, et potestatem transferendi pontifices ita sibi retinuit dominus et magister, quod soli beato Petro vicario suo, et per [b]ipsum [c]suis speciali privilegio tribuit et concessit. Et mox. Non enim homo sed Deus separat, quos Ro. pont. *qui non puri hominis sed veri Dei vicem gerit in terris* ecclesiarum necessitate vel utilitate pensata, non humana sed divina potius authoritate dissolvit. et infra gloss. Veri Dei vicem. *Unde dicitur habere* [d]*ecclesiæ arbitrium, et ideo* [e]*etiam naturam rerum immutat substantialia unius rei applicando alii.* Et de nullo *potest aliquid facere, et sententiam quæ nulla est facit aliquam, quia in hos quæ vult, ei est pro ratione volentas, justi de jure nati, nec est qui ei dicat, cur ita facis, ipse enim potest supra jus dispensare. Idem de injusticia potest facere justiciam, corrigendo jura et mutando.*

[fol.44. verso]

De Sacra Unctione. [cap. i.]

CUM VENISSET

[f] INNOCEN. 2us

Cum venisset. Et mox: Refert autem inter pontificis et principis unctionem, quia caput pontificis chrismate consecratur, brachium vero principis oleo delinitur, ut ostendatur, quanta sit differentia inter authoritatem pontificis et principis potestatem. Et mox, Per frontis chrismationem manus impositio designatur, quæ alio nomine dicitur confirmatio, quia per eam Spiritus Sanctus ad augmentum datur et robur. *Unde cum ceteras unctiones simplex sacerdos vel presbyter valeat exhibere, hanc non nisi summus sacerdos, id est episcopus, debet conferre,* quia de solis Apostolis legitur, quorum vicarii sunt episcopi, quod per manus impositionem Spiritum Sanctum dabant, quemadmodum [g]lectio Apostolorum manifestat. Et mox, Ungitur præterea secundum ecclesiasticum morem, cum consecratur altare, cum dedicatur templum, cum benedicitur calix, *non solum ex mandato legis diviniæ,* verum etiam exemplo beati Silvestri, qui, cum consecrabat altare, [h]illo chrismate perungebat. Et mox, Licet Ro. Pon. non utatur baculo pastorali, tum propter historiam, tum

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[a] [separet. Potestatem etiam transferendi]

[b] [*ipsum successoribus suis*]

[c] [suis, et nobis ipsis, qui locum ejus licet indigni tenemus in terris, speciali]

[d] [cœleste]

[e] [etiam rerum immutat]

[f] [Innoc. iii : Leips. ed.]

[g] [*actuum Apostolorum lectio*]

[h] [*illud*]

Glossa

etiam propter misticam [i]rationem, tu tamen ad similitudinem aliorum pontificum poteris eo uti. Et infra [k]Glossa. Propter historiam Martialis unus de discipulis Petri, quem posuit dominus inter discipulos, cum dixit, Nisi efficiamini sicut parvulus iste, non intrabitis in regnum cœlorum, &c. quem nostra Petrus cum alio scilicet materno ad prædicandum misit in Germaniam, cum [l]iret mortuus est, et rediit collega ad Petrum, et Petrus ait, accipe baculum, et tangens eum die ut in nomine Domini surgat et prædicet, et ivit, [m]et xl. die a tempore mortis tetigit eum, et surrexit, et prædicavit, et ita Petrus removit a se baculum, et dedit subditis. Et mox. Misticam rationem, quia baculus in summitate recurvationem, quasi ad trahendum; quod non est necessarium, Ro. pon^{ti} quod nullus ab illo divertere potest finaliter, quia ecclesia non [n]potest nulla, 24. 9. 1. Pudenda in fin. vel quia per baculum designatur correctio sui castigatio: ideo alii pontificis recipiunt a suis superioribus baculos, quia ab homine potestatem recipiunt, Romanus poutifex non utitur baculo, quia potestatem a solo Deo recepit.

[fol. 45. recto]

Sex. De. de Filiis Presbiterorum. [cap. i.]

IS QUI DEFECTUM

Bonifacius 8^{us}

.... Ad ordines quoque majores, vel beneficia curam animarum habentia, super quibus nequit episcopus dispensare, sine dispensatione sedis apostolicæ promoveri non potest.

De officio legati. [Decret. Libr. 1. Titul. xxx. cap. iv.]

QUOD TRAN.

INNO. 3^{us}

Quod translationem. Et infra. Licet in regno Siciliæ generalis sit tibi commissa legati, ad eam tamen suis speciali mandato nostro non debuisti manus extendere, quæ in signum privilegii singularis sunt tantum summo Pontifici [o]reservata, et si quædam ex his quæ de speciali concessione sæpe fuere legatis indulta, ut illorum videlicet absolutio qui propter sacrilegas manuum injectiones in clericos incidant in [p]canonicorum promulgatas sententias, videantur ex [q]episcopo legationis officio jam licere legatis. An existimas quia vices nostras tanquam legato tibi commissimus exequendas, *quod Panormi.* ecclesiam posses subjicere [r]Messaniæ? Ut illam præficeres isti, concesso sibi privilegio primatiæ? An putas ex eadem causa tibi licere duos episcopatus unire, vel unum dividere sine licencia speciali? Idem [s]Bonon. episcopo et M. Capellano subdiacono nostro. Et mox. Licet Tranen. Canon̄. ab initio dissensissent, tamen unanimiter [t]consenserunt. G^m fratrem Cassinen̄. Abbat. in archiepiscopum eligentes; cujus [u]electionem Portuensis Episcopus, tunc legatus, examinari præcepit. et infra.

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[i] [rationem, quod idem cardinalis, sicut a nobis accepit, poterit edocere, tu tamen]

[k] [The gloss is not in the Leipsic ed.]

[l] [qui cum iret.]

[m] [et: omitted.]

[n] [potest esse nulla]

o [reservata. Tamen et]

[p] [*canonem promulgatæ sententiæ*]

[q] [*ipso*]

[x]Ab arbitris &c. Glo. Et sic ad papam qui est lux [y]animarum terris.

[fol.45. verso] De offic. judi. ordi. [cap. xiv.]

QUONIAM

[a] Innocentius 3us in consilio generali

Quoniam in plerisque partibus infra eandem civitatem atque diœcesim permixti sunt populi diversarum linguarum, habentes sub una fide varios ritus et mores, Districte præcipimus, ut pontifices hujusmodi civitatum sive diœcesum provideant viros idoneos, qui secundum diversitates rituum et linguarum divina illis officia celebrent et ecclesiastica sacramenta ministrent, instruendo eos verbo pariter et exemplo.

Sex. Dec. de Offi. Jud. Ord. [cap. vii.]

CUM EPISCOPUS

Bonifacius 8us

Cum episcopus in [b]sua tota diœcesi jurisdictionem ordinariam noscatur habere, dubium non exsistit, quin in quolibet loco ipsius diœcesis non exempto per se vel per alium possit pro tribunali sedere, causas ad ecclesiasticum forum spectantes audire, *personas ecclesiasticas,* (*cum earum excessus exegerint,*)

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[r] [*Messanensi*]

[s] [This refers to the following chapter (v.) which begins with the passage cited.]

[t] [consenserunt dilectum filium G.]

[u] [electionem venerabilis frater noster Portuensis, tunc Apostolicæ sedis legatus]

[x] [Sext. de Offic. Legat. cap. xi. "Ab arbitris, qui secundum formam juris, ut de proposita contra judicem suspicionis causa cognoscant, vel qui, cum de revocatione ambigitur literarum, judicibus nequeuntibus in unam sententiam concordare, ad concertationem hujusmodi sopiendam a partibus eliguntur, est, si gravaverint, ad sedem apostolicam appellandum."]

[y] [animata]

[a] [Conc. Lat. iv. A. 1215.]

[b] [tota sua]

capere ac carceri deputare: nec non et cetera, quæ ad ipsius *spectant officium, libere exercere.*

[fol. 46. recto]

De majoritate et obedientia. [cap. iv.]

OMNES [See vol. ii. p. 512. Answ. to Dev. Reb.]

[c] CLEMENS

Omnes principes terræ et ceteros homines episcopis [d]obedire, &c, beatus Petrus præcipiebat.

[Id. c. vi.]

SOLITÆ [See vol. ii. p. 507. Ans. to Dev. Reb.]

Imperator sub. Ro. ponti

[e] INNOUS

Solitæ benignitatis affectu, et infra. *Mirata est imperialis* [f]*sublimitas, quod te nisi fuimus in nostris* [g]*literis increpare.* Huic autem tuæ admirationi non causam, sed occasionem [h]præbuit, quod legisti, beatum Petrum Apostolorum principem sic scripsisse, Subditi estote omni humanæ creaturæ propter Deum, sive regi, tanquam præcellenti, sive ducibus, tanquam ab eo missis, ad vindictam malefactorum, laudem vero bonorum, &c. Et paulo post, Quod autem sequitur, "regi tanquam præcellenti," non negamus, quin præcellat imperator in temporalibus illos duntaxat, qui ab eo suscipiunt temporalia. Sed Pontifex in spiritualibus antecellit, quæ tanto sunt temporalibus digniora, quanto [i]animus præfertur corpori, licet non simpliciter dictum fuerit; "Subditi estote," sed additur [k]fuit; propter Deum, nec pure sit subscriptum: regi præcellenti, sed interpositum forsitan fuit non sine causa, tanquam. Et mox, Potuisses autem prærogativam sacerdotii ex eo potius intelligere, quod dictum est: non a quolibet, sed a Deo; non regi, sed sacerdoti; non de regia stripe, sed de sacerdotali prosapia descendenti, de sacerdotibus videlicet, qui erant in Anathot: *Ecce constitui te super gentes et regna,* ut evellas et dissipes, ædifices et plantes. Et infra, Præterea nosse [l]debuerat, *quod fecit Deus duo magna luminaria in firmamento cœli;* luminare majus, ut præesset diei, et luminare minus, ut præ-

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[c] [Clem. iii.]

[d] [obedire, et capita sua submittere, eorumque adjutores exsistere, beatus]

[e] [Innoc. iii. Const. Imper. A. 1200.]

[f] [sublimitas, sicut per easdem nobis literas intimasti, quod]

[g] [literis aliquantulum increpare, licet non increpandi animo, sed affectu potius commonendi quod scripsimus meminerimus nos scripsisse. Huic]

[h] [præbuit, sicut ex eisdem conjecimus literis]

[i] [*anima*]

[k] [*fuerit*]

[l] [*debueras*]

[q] Gloss. Cum terra sit septies major luna, sol autem octies est major terra restat ergo ut pontificalis dignitas quadragesies septies sit major regali dignitate.

esset nocti; utrumque magnum, sed alterum [m]majus. *Ad firmamentum igitur cœli, hoc est universalis ecclesiæ,* [n]*fecit duo magna luminaria, id est,* [o]*duas instituit dignitates, quæ sunt pontificalis authoritas,* et regalis *potestas.* Sed illa, quæ præest diebus, id est spiritualibus, major est; quæ [p]vero carnalibus, minor, *ut, quanta est inter solem et lunam, tanta inter pontifices et reges differentia cognoscatur.* Hæc autem si prudenter attenderet imperatoria celsitudo, non faceret aut permitteret Constantinopolita. patriarcham magnum quidem et honorabile membrum ecclesiæ, juxta scabellum pedum suorum in sinistra parte sedem: *Cum alii principes et reges archiepiscopis et episcopis suis, (sicut debent,) reverenter assurgant, et eis juxta se venerabilem sedem assignent.*[r] Et i^{n}. Nos autem etsi non increpando scripserimus, potuissemus tamen rationabiliter increpare. Et infra. Nobis autem in Beato Petro sunt oves Christi commissæ, dicente Domino, Pasce oves meas, non distinguens inter has oves et alias, ut alienum a suo demonstraret ovili, qui Petrum et successores ipsius magistros non recognosceret et pastores; ut illud tanquam [s]novissimum omittamus, quod Dominus dixit ad Petrum, et in Petro dixit ad successores ipsius: Quodcunque ligaveris super terram, erit ligatum et in cœlis, etc. nihil excipiens, [t]quæ dixit, Quodcunque. *&c.*

Extravag. de majo^{te} et obedi. [cap. i.]

UNAM SANCTAM
[See vol. ii. p.
507. Ans. to
Dev. Reb.
nd Append.
o this vol.
No. 88**
Letter to
Q. Mary.
p. 591.]
[fol. 46. verso]

BONIFA. 8us

Unam sanctam ecclesiam. *et paulo post.* Ille sacerdotis, *is manu regum et militum, sed ad nutum et patientiam sacerdotis.* Oportet autem gladium esse sub gladio, et temporalem auctoritatem spirituali subjici potestati. Nam quum dicit apostolus: Non est potestas nisi a Deo; quæ autem sunt, a Deo ordinata sunt, non autem ordinata essent, nisi gladius esset sub gladio, et tanquam inferior reduceretur per alium in suprema. Et mox, *Sic de ecclesia et ecclesiastica potestate verificatur vaticinium Hieremiæ. Ecce constitui* [u]*te super gentes et regna,* et cetera, quæ sequuntur. Ergo, Si deviat terrena potestas, judicabitur a potestate spirituali; sed, si deviat spiritualis minor, a suo superiori; Si vero suprema, a solo Deo, non ab homine poterit judicari, testante apostolo: *Spiritualis homo judicat omnia, ipse tamen a enim judicatur.* Et mox, *Quicunque igitur huic potestati a Deo sic ordinatæ resistit, Dei ordinationi resistit.* Et paulo post, *Porro subesse Romano Pontifici omni humanæ creaturæ declaramus, dicimus, deffinimus, et pronunciamus omnino esse de necessitate salutis.* Datum Laterani Pontificatus nostri anno octavo.

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[m] [majus, quia nomine cœli designatur ecclesia, juxta quod Veritas ait: "Simile est regnum cœlorum homini patri familias, qui summo mane conduxit operarios in vineam suam." Per diem vero spiritualis accipitur, et per noctem carnalis secundum propheticum testimonium:" dies diei eructat verbum, et nox nocti indicat scientiam. Ad]

[n] [*fecit Deus duo*]

[o] [duas magnas instituit]

[p] [noctibus, id est, carnalibus]

[q] [This gloss is not in the Leips. ed.]

[r] [assignent. Nam et piissimus Constantinus quantum honoris exhibuerit sacerdotibus, tua, sicut credimus, prudentia non ignorat. Nos]

[s] [notissimum]

[t] [*qui*]

De treuga et pace. [cap. i.]

Treugas

[x] Alex. 3us

Treugas a quarta feria post occasum solis usque ad secundam feriam in ortu solis, ab adventu Domini usque ad octavas Epiphaniæ, et a lxx^a^. *usque ad octavas Paschæ, ab* [y]*omnibus hominibus inviolabitur observari præcipimus.* Si quis autem treugas frangere præsumpserit, post tertiam admonitionem si non satisfacerit, suus episcopus sententiam excommunicationis dictet in eum, et scriptam vicinis episcopis annunciet, quorum nullus excommunicatum in communione recipiat, immo scriptam sententiam quisque confirmet. Si quis autem hoc violare præsumpserit, ordinis sui periculo subjaceat. Et mox: [z]Innovamus, [a]ut Presbyteri, monachi, conversi, perigrini, mercatores, rustici, euntes, [b]vel redeuntes, vel in agricultura existentes, et [c]arantia quibus arant, [d]et semina portant, ad agrum congrua securitate lætentur.

Romani Pontificis interest servari treugas.

[fol. 47. recto]

De judiciis. [c. xiii.]

Novit [See Append. to this vol. No. 88** Letter to Q. Mary, p. 591.]

[e] Innocent 3us

Novit ille &c. Et mox, Sed cum Dominus dicat in evange-

---

[u] [*te hodie super*]

[x] [In conc. Later. iii. c. 21. A. 1179.]

[y] [omnibus inviolabiter]

[z] [This is cap. ii. of the same title.]

[a] [innovamus autem, ut presbyteri, clerici, monachi,]

[b] [et]

[c] [this word is not very distinct in the MS.—*animalia*]

[d] [et quæ semina]

[e] [Prælatis per Franc. const.]

Romanus Pontifex est judex de rebus civilibus inter quoscunque, si altera pars illius judicium eligat.

lio: si peccaverit in te frater tuus, vade et corripe eum inter te et ipsum solum. Si te audierit, lucratus eris fratrem tuum; si te [f]non audierit, adhibe [g]tecum unum vel duos, ut in ore duorum vel trium testium stet omne verbum. Quod si non audierit, dic ecclesiæ; si autem ecclesiam non audierit, sit tibi sicut ethnicus et publicanus. Et rex [h]Angliæ, sit paratus sufficienter ostendere, quod rex Francorum *peccat* in ipsum, et ipse circa eum in correctione processit secundum regulam evangelicam, et tandem, quia nullo modo profecit, dixit ecclesiæ; quomodo nos, qui sumus ad regimen universalis ecclesiæ superna dispositione vocati, mandatum divinum possumus non exaudire, ut non procedamus secundum formam ipsius, nisi forsitan ipse coram nobis vel legato nostro sufficientem in contrarium rationem ostendat? Et paulo post, *Quicunque videlicet litem habens, sive petitor fuerit sive reus, sive initio litis, vel decursis temporum curriculis, sive cum negotium peroratur, sive cum jam cœperit promi sententia, si judicium elegerit sacrosanctæ sedis antistitis, illico sine aliqua dubitatione, etiamsi pars alia* [i]*refragatur.* Et mox, Ne ergo tantum discordiam videamur sub dissimulatione [k]fovere, prædicto legato dedimus in præceptis, ut, (nisi rex ipse vel solidam pacem cum prædicto rege [l]reformet, vel saltem humiliter patiatur, ut idem abbas [m]et archiepiscopus Bituricensis de plano cognoscant, utrum justa sit quærimonia, quam contra eum proponit coram ecclesia rex Anglorum, vel ejus exceptio sit legitima, quam contra eum per suas nobis literas duxit exprimendam,) juxta formam sibi datam a nobis procedere non omittat.

Designat judicem inter regem Angliæ et Franciæ.

[fol.47. verso]

De foro competenti. [cap. i.]

SI QUIS CLERI

[n] EX CON. CHAL.

Si quis clericus adversus clericum negotium habeat, non deserat episcopum [o]proprium, sed prius apud ipsum actio ventiletur, [p] vel consilio ejusdem apud alios, quos utraque pars voluerit, judicium obtinebant.

---

[f] [te autem non]

[g] [tecum adhuc unum]

[h] [Angliæ, sic asserit, sit]

[i] [*refragetur*]

[k] [fovere, dissimulare religiosorum locorum excidium, et stragem negligere populi Christiani, dilecto filio abbati Casemarii prædicto]

[l] [reformet, vel treugas ineat competentes, vel]

[m] [et venerabilis frater noster archiepiscopus]

[n] [c. 9. A. 451.]

[o] [proprium, et ad sæcularia percurrat judicia, sed]

[Id. cap. ii.]

NULLUS Clericus non est judicandus a judice sæculari. [See Append. to this vol. No. 88** Letter to Q. Mary. p. 585.]

[q] EX CON. PARI

Nullus judicum neque presbiterum, neque diaconum aut clericum ullam, aut minores ecclesiæ sine permissa pontificis, per se distringere aut condemnare præsumat. Quod si fecerit, ab ecclesia Dei, cui injuriam irrogare dinoscitur, tamdiu sit sequestratus, quousque reatum suum cognoscens emendet. ET MOX,

[Id. cap. iv.]

SI QUIS CON. [See Append. No. 88** &c. as above.]

[r] GRE. BONON

Si quis contra clericum causam habuerit, episcopum ipsius adeat, qui si ut suspectus fuerit recusatus, [s] executor ab eo deputetur, [t] aut si hoc actor refugerit, ab eodem episcopo est deputandus, qui partes sibi mutuo consensu judices compellat eligere, a quibus quicquid fuerit diffinitum ipsius sollicitudine (servata lege) modis omnibus compleatur.

[Id. cap. v.]

SI CLERICUS [See vol. ii. p. 512. Answ. to Dev. Reb.]

ALEX. 3us

[u] Si clericus laicum de rebus suis vel ecclesiæ impetierit, et laicus res ipsas [x] non ecclesiæ aut clerici, sed suas proprias [y] asseverat, debet [z] rigore [a] juris ad forensem judicem trahi, cum [b] actor forum rei sequi debeat, licet in plerisque partibus aliter de consuetudine habeatur.

Idem.

[Id. cap. vi.]

EX TRANSMI. [See Append. No. 88** &c. as above.]

IDEM

Ex transmissa nobis insinuatione B. Cm. et W. militum ecclesiæ tuæ intelleximus, quod, quum R. de Cassaville eos super quadam possessione [c]coram Trecensi episcopo traxisset in caussam, nobilis in de Campis eorum [d]dominus, sub debito fidelitatis eis inhibuit, ne de sæculari fuedo in judicio ecclesiastico responderent. Et infra: Et per dominum feudi causam jubeas terminari, et, [e]*si ipse malitiose distulerit,* [f]*tu ei debitum finem imponas.*

---

[p] [vel certe consilio ejusdem episcopo apud]

[q] [c. 6. A. 615.]

[r] [Greg. i. Bonifacio Defens. Corsic.—Reg. xi. 77. The archbishop probably confounded this with the title of the next chapter, which some copies entitle Alexander 3 *Bononiensi* ep.]

[s] [exsecutor vel ab]

[t] [si et hoc]

[u] [Si vero presbyter, vel clericus alius aliquem laicum]

[x] [non esse ecclesiæ vel presbyteri aut]

[y] [asseverat, laicus ipse debet]

[z] [*de rigore*]

[a] [juris super hoc ad]

[b] [actor semper forum]

[Id. cap. vii.]

ERUM

Verum quoniam de quibusdam feudis [g]adversus præpositum quæstio mota fuit, *Statuimus, ut, ex quo episcopus fuerit* [h]*in ecclesia consecratus, de feudis ipsis sub suo judicio cognoscatur, si ad ecclesiasticam cognitionem pertineant;* [i]alioquin beneplacito imperiali, (sicut justum fuerit,) relinquatur. Idem

[Id. cap. viii.]

UM SIT
ectores ec-
siarum pos-
nt malefac-
essuoscon-
ire coram
o voluerint
lice, sive ec-
siastico,
e civili.

Cum sit generale, ut actor forum rei sequatur, et infra: verum *quoniam sæculares judices in exhibenda justitia personis ecclesiasticis sæpe in judicio sunt* [k]*remissi, in favorem ecclesiæ est introductum, ut malefactores suos, qui sacrilegi sunt censendi, venerabilium locorum rectores possint sub quo maluerint judice convenire.* Lucius 3us.

[Id. cap. ix.]

OD CLE-
IS

Quod clericis etc. *Mandamus, quatenus, si quas causas pecuniarias clerici Parisiis commorantes habuerint contra aliquos, vel aliqui contra eos,* [l]*ipsas jure canonico decedatis.* Cele. 3us.

Cele. 3us. Episc. Paris.

[.48. recto]

[Id. cap. x.]

ET

Licet ex suscepto . . . . . Et mox, *Liceat tamen ipsis, qui sub eisdem consulibus taliter duxerint contendendum, si se in aliquo senserint prægravari, ad tuam, (sicut hactenus servatum est,) vel* [m] Inno. 3us.

---

[c] [coram venerabili fratre nostro Trecensi]

[d] [dominus, a quo possessiones tenebant, sub]

[e] [ipse aliquid malitiose]

[f] [ei sublato appellationis obstaculo debitum]

[g] [adversus eundem præpositum]

[h] [in eadem ecclesia]

[i] [aliquin ipsa quæstio *imperiali beneplacito*]

[k] [remissi, jam per consuetudinem]

[l] [ipsas, appellatione remota, jure]

[m] [Vercell. Episc.]

ad nostram, si maluerint, audientiam appellare. Et mox, Si vero consules justitiæ tanquam merito suspecti fuerint recusati, coram arbitris communiter electis de causa suspicionis agatur, quæsi probata fuerit esse justa, *ad te vel ad nos pro justitia recurratur,* sicut superius est expressum.

[Id. cap. xi.]

EX TENORE [See Append. to this vol. No. 88** Letter to Q. Mary. p. 591.]

[o] IDEM.

Ex tenore [p]literarum comitis Britanniæ [q]est nostris auribus intimatum, *quod, cum causam, quæ inter mulierem nobilem F. et*[r] *I., de Meduano super hereditate sua noscitur agitari,* [s]Vobis commiserimus terminandum, ipse comes eidem mulieri, cum tam ipsa quam prædictus I. essent de foro ipsius, mandavit, ut causam[t] deferrent ad ipsum, promittens eidem, [u]quod faceret ei justitiæ plenitudinem exhiberi etc. Nos igitur attendentes, quod sic sumus viduis in justitia debitores, quod [x]alii injustitiam facere non debemus, *Mandamus, quatenus, nisi sit talis causa, quæ ad ecclesiasticum judicem pertinere noscatur, ei supersedere curetis; Dummodo per judicem sæcularem suam* [y]*justitiam possit obtinere; alioquin, non obstante ipsius contradictione, causam ipsam ratione prævia terminetis.* Et mox,

Romanus Pontifex est judex pesronarum et rerum civilium, si judex civilis defecerit in justitia.

[Id. cap. xii.]

SI DILIGEN. [See vol. ii. 512. Ans. to Dev. Reb.]

[z] IDEM.

Si diligenti . . . . . *Et mox, Et tam episcopi, quam* [a]*diacones, seu quilibet clerici in criminali seu in civili negotio, si derelicto ecclesiastico judicio, publicis judiciis se purgare voluerint, etiamsi pro eis sit lata sententia, locum suum amittant, et hoc in criminali actione, in civili vero perdant quod evicerint, si locum suum maluerint obtinere:* Manifeste patet, quod non solum inviti, sed etiam voluntarii pacisci non possunt, ut sæcularia judicia subeant, cum non sit beneficium hoc personale, cui renunciari valeat. Sed potius toti collegio ecclesiastico [b]sit publice indultum, cui

Laici non possunt clericos judicare.

---

[o] [Archid. et Thesaur. Turonensibus.]

[p] [literarum nobilis viri G. comitis]

[q] [nostris est]

[r] [et nobilem virum I.]

[s] [vobis et bonæ memoriæ G. magistro Scholarum B. Martini commiserimus]

[t] [causam ipsam deferrent]

[u] [quod in curia sua faceret]

[x] [*aliis*]

[y] [possit justitiam]

[z] [Pisano Archiep.]

[a] [*diaconi*]

[b] [publice et generaliter sit indultum,]

privatorum [c]pacto derogari non potest. *Nec juramentum licite servari potuit, quod contra canonica statuta, illicitis pactionibus informatur.*

[Id. cap. xv.]

x PARTE

Ex parte . . . . Et mox, Idem quoque adjecit, quod, [e]quum in [d] Hono. 3us. dicta regina jus suum coram domino feudi prosequi debuisset, literæ apostolinæ non valebant, cum non faciebunt mentionem, quod dominus feudi fuerit requisitus, et ipse in [f]exhibenda justitia extiterit negligens vel remissus. Et paulo post, Ad hoc autem [g]fuerit ex parte ipsius reginæ responsum, *quod vidua spoliata* [h]*irrequisitio feudi domino, spoliatorem seu detentorem rei coram ecclesiastico judice poterat convenire,* cujus interest viduas defensare &c. *Mandamus, quatenus,* si nobis constiterit, dictum nobilem terram et mansionem habere in Andegavensi diœcesi, in qua interdum consuevit commorari, et ipsam diœcesim ultra duas a Turonis non distare diætas, et in eadem litigiosam rem esse; non obstantibus exceptionibus aliis, quæ in petitorio potius, quam in possessorio, quod regina contra eundem nobilem intentabat, locum habere videntur, *in ipso negotio juxta priorum continentiam* [i]*literam, ratione prævia procedatis.*

tiam non
equisito ju-
ice civili po-
st spoliatus
oliatorem
nvenire co-
m ecclesi-
tico judice.

ol.48. verso]

Et mox,

[Id. cap. xvii.]

LECTI

Dilecti filii . . . . . *Et mox,* Mandamus, quatenus eisdem *de* [k] Gregorius 3us. *pecunia ipsa* cum justis et moderatis expensis, et congrua satisfactione damnorum, (usuris omnino cessantibus,) satisfacias, ut teneris. Alioquin eidem abbati nostras damus literis in mandatis, [l]ut commisso sibi negotio, (proposita ex parte tua indulgentia non obstante,) juxta prioris mandati nostri tenorem sine dispendio moræ procedat. Et mox,

---

[c] [pactio derogare]

[d] [Archiep. Dec. et Archid. Turonensibus.]

[e] [*quum dicta*]

[f] [exhibendi sibi justitia]

[g] [*fuit*]

[h] [*irrequisito*]

[i] [literam, sublato cujuslibet contradictionis et appellationis obstaculo, ratione]

[k] [Gregor. ix. Ep. Dunelmensi.]

[l] [*ut in commisso*]

[Id. cap. xviii. [m]]

RUBR. Clericus potest agere causam suam coram judice ecclesiastico non civili.

[n] *Quanquam laici possunt jurisdictionem non sui judicis prorogare, clerici tamen non possunt, nisi episcopi diœcesani consensus accedat, et judex, cujus jurisdictionem prorogare volunt, sit ecclesiasticus. Et mox,*

SIGNIFICASTI [See vol. ii. pp. 502, 512. Ans. to Dev. Reb.] Et infra. — IDEM

Significasti nobis, quod P. clericus ad petitionem C. mercatoris se tuæ jurisdictioni subjecit, si in termino [o] jam elapso de pecunia mutuata non satisfecisset eidem. Et infra: Inquistioni tuæ taliter respondemus, quod, licet privatorum consensus eum, qui jurisdictioni præesse dinoscitur, suum possit judicem constituere, *clerici tamen in judicem non suum, (nisi forte sit persona ecclesiastica, et episcopi diœcesani voluntas accedat,) consentire non possunt.* Et mox,

[Id. cap. xx.]

RUBR.

[p] Quisque clericus potest in curia Ro. conveniri, licet alias specifice forum ibi non sortiatur; habet tamen ex causa jus revocandi domum.

LICET — IDEM

Licet ratione delicti, seu contractus, aut domicilii, sive rei, de qua contra possessorem causa movetur, quibus forum regulariter quis sortitur, episcopus vester apud sedem apostolicam conventus non fuerit. *Quia tamen omnium ecclesiarum mater est eadem et magistra, rite compelli potuit, ut ibi suis adversariis responderet,* nisi pro alia justa et necessaria causa venisset, quam si tunc allegasset, jus revocandi domum salvum fuisset eidem.

[fol. 49. is blank] [fol. 50. recto]

De juramento calumniæ. [cap. i.]

INHÆRENTES — [q] HONORIUS 3us.

Inherentes—*et paulo post, Nam cum Imperator* [r] *Justinianus decreverit, ut canones Patrum* [s] *videlicet legum habere oporteat,* et in nonnullis Patrum canonibus reperiatur, ut clerici omnino jurare non audeant, dignum est, ut totus clericalis ordo a juramento calumniæ præstando sit immunis. Præterea statuti principis [t] tenor talis esse dignoscitur : *Nos* [u] *itaque* (divinæ et humanæ legis intentione servata), *decernimus, et imperiali authoritate irretractabiliter diffinimus, ut non episcopus, non presbiter, non cujuscunque ordinis clericus, non abbas, non aliquis monachus, vel sanctimonialis, in* [x] *causa quacunque sive controversia, seu criminali sive civili, jusjurandum compellatur qualibet ratione subire, sed aliis ydoneis* defensoribus ([y] cum expedire ecclesiæ suæ [z] noverint,) hujusmodi officium liceat delegare. *Verum cum hac moderatione, ut episcopus, inconsulto* Ro. Pon^{ti}, vel quisque clericus, inconsulto *prælato suo minime jurare audeat.* Omnibus autem [a] episcopis, et universo clero hæc ita custodiri debere mandamus, ut, si quis in [b] illam commiserit, veniam sibi deinceps noverit denegari.

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[m] [Greg. ix. Abbati Trecensi.]

[n] [This is the heading of the Chapter.]

[o] [*nunc*]

[p] [This is the heading of the Chapter.]

[q] [Honor. ii. (so Leips. ed.) omnibus episc. occident.]

[r] [Justinianus jure decreverit,]

[s] [*vim*]

De Feriis. [cap. iii.]

[c] Alexander 4^{us}.

Licet tam veteris quam novi testamenti pagina septimum diem ad humanam quietem specialiter deputaverit, et tam eum quam alios dies majestati altissimæ deputatos, necnon natalitia sanctorum martirum ecclesia decreverit observanda, et in his ab omni opere servili cessandum, et infra, *Indulgemus, ut liceat parochianis vestris diebus dominicis et aliis festis, præterquam in majoribus anni solempnitatibus, si alecia terræ se inclinaverint, eorum captioni ingruente necessitate intendere,* [d] ita quod post factam capturam, ecclesiis circumpositis et Christi pauperibus congruam faciant portionem.

De jurejurando. [cap. iv.]

[e] Ex registro Gregorii

Ego N. Episcopus ab hac hora in antea fidelis ero sancto Petro, [f] sanctæque Ro. ecclesiæ, [g] Dominoque Papæ C. ejusque successoribus [h] canonicis intrantibus. Non ero neque in consilio neque in facto, ut vitam perdat aut membrum, vel capiatur mala captione. Consilium, quod mihi aut per se, aut per literas, aut per nuncium manifestabit, ad ejus damnum nulli pandam. [fol. 50 verso] Papatum. Romanæ ecclesiæ et regulas sanctorum Patrum adjutor ero ad defendendum et retinendum, (salvo ordine meo,) contra omnes homines. Vocatus ad synodum veniam, nisi præpeditus fuero canonica præpeditione. Legatum apost. se., quem certum[i] esse cognovero, in eundo et redeundo honorifice tractabo, et in suis necessitatibus adjuvabo. [k]Limina Apostolorum singulis annis aut per me aut per certum [l]nuncium visitabo, nisi eorum absolvar licentia. Sic me Deus adjuvet et hæc sancta evangelia.

---

[t] [tenor penes nos talis]

[u] [itaque, utriusque divinæ]

[x] *quacunque causa*]

[y] [*si*]

[z] [noverit]

[a] [episcopis, ac cunctis generaliter sacerdotibus, et]

[b] [illam constitutionem commiserit]

[c] [Alex. iii. (so Leips. ed.) Tribur. Archiep.]

[d] [ita tamen quod]

[e] [Greg. vii. Petro Subdiacono.]

[f] [sanctæque apostolicæ Romanæ]

[g] [*Dominoque meo Papæ*]

[h] [*canonice*]

Rub. [Id. c. viii.[m]]

Episcopus Romanus absolvit a juramento, quod alioqui debuisset observari.

Si juramentum per metum est ortum servari potest sine interitu salutis æternæ, servandum est; *ecclesia tamen Ro. consuevit, a tali juramento absolvere.*

SI VERO [See Append. to this vol. No. 88** Letter to Q. Mary. p. 585.]

ALEX. 3us.

Si vero aliquis: Et mox, Verum aliquando in Ro. ecclesia a pluribus prædecessoribus nostris factum esse recolitur, quod clerici, qui coacti ministerium ecclesiæ [n]objurarunt, *De juramento absolutionis beneficium meruerunt,* et ad coercendam iniquitatem eorum, qui ecclesiasticos viros ad præstandum [o]illud compulerant, permissi sunt in eadem ecclesia ministrare.

[Id. c. xxx.]

NIMIS [See vol. ii. p. 512. Answ. to Dev. Reb.] Clerici non tenentur præstare juramentum illis, a quibus nihil habent temporale.

[p] INNO. 3us.

Nimis de jure divino quidem laici usurpare nituntur, cum viros ecclesiasticos, nihil temporale obtinentes ab eis, ad præstandum sibi fidelitatis juramenta compellunt. [q]Quia secundum Apostolum servus suo domino stat aut cadit, *sacri auctoritate concilii prohibemus, ne tales clerici personis sæcularibus præstare cogantur hujusmodi juramenta.*

Sexti Decretal. De jurejurando. [c. ii.]

LICET MULIERES Cogendi sunt laici ad servandum jus canonicum. [See vol. ii. p. 308. Answ. to Dev. Reb.]

[r] NICOLA 3us.

. . . . . Nos, animarum periculis obviare volentes, eosdem judices ad servandum hoc jus canonicum per locorum ordinarios, censura ecclesiastica decernimus compellendos.

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[i] [certum legatum esse]

[k] [*Apostolorum limina*]

[l] [nuncium meum visitabo]

[m] [Alex. iii. Senon. Archiep.]

[n] [*abjurarunt*]

[o] [illud juramentum compulerant]

[p] [conc. Lat. iv. c. 43.—A. 1215.]

[q] [*Quia vero secundum*]

[r] [Bonifac. viii.—The preceding Chapter is Nicol. 3.]

Clementinus de Jurejurando. [c. i.]

OMANI

[s] CLEME. 3. IN CON. VIE.

Romani principes, orthodoxæ fidei professores, sacrosanctam Ro. eccl. cujus caput est Christus redemptor noster, ac Romanum Pontificem ejusdem redemptoris vicarium, fervore fidei et claræ devotionis promptitudine venerantes, eidem Ro. Pontifici, *a quo approbationem personæ, ad imperialis celsitudinis apicem assumendæ,* ol. 51. recto] *nec non unctionem, consecrationem et imperii coronam accipiunt,* sua submittere capita non reputarunt indignum, seque illi et eidem ecclesiæ, *quæ a Græcis imperium transtulit in Germanos, et a qua ad certos eorum principes jus et potestas eligendi regem, in imperatorem postmodum promovendum, pervenit, adstringere vinculo juramenti,* prout tam mos observationis antiquæ temporis novissimis renovatæ, quam forma juramenti hujusmodi sacris inserta canonibus manifestant. *Et mox*

[Ibid.]

Offerendi quoque nobis et præstandi pro eo et in ipsius animam debitæ nobis et eidem ecclesiæ fidelitatis et cujuslibet alterius generis juramentum, ac nihilominus petendi a nobis per nostras sibi [t]manus unctionem, consecrationem, et Romani imperii diadema.

[Ibid.]

Et mox, [u]Ego N. Romanorum Rex, (annuente Domino) futurus Imperator, promitto, spondeo, et polliceor atque juro coram Deo et beato Petro, [x]me protectorem, procuratorem et defensorem fore summi Pontificis. Et hujus sanctæ Ro. ecclesiæ in omnibus necessitatibus et utilitatibus suis custodiendo et conservando possessiones, honores, et jura quantum divino suffultus adjutorio fuero, secundum scire et posse meum, recta et pura fide. Sic me Deus adjuvet et hæc sancta Dei evangelia.

[Ibid.]

Et tanctis sacrosanctis evangeliis juramento firmavit. Quod eandem ecclesiam et fidem catholicam pura fide, totisque viribus conservaret [y] venerenter, et etiam defensaret, omnemque hæresim, schisma, et hæreticos quoslibet, fautores, receptatores, et defensores ipsorum exterminaret pro posse, ac [z] nunquam ad eum Sarraceno, pagano, *schismatico, seu alio quolibet communionem catholicæ fidei non habente, aut cum alio aliquo præfatæ ecclesiæ inimico vel rebelle, seu eidem manifeste suspecto unionem quamlibet seu parentilem aut confederationem iniret,* sed tam nostram, quam successorum nostrorum personas, honorem, et statum, manuteneret, defenderet, et conservaret, contra omnes homines, cujuscunque [fol. 51. verso] existerent præeminentiæ, dignitatis, vel status. Eidem etiam adjiciens juramento, quod manuteneret semper atque servaret, privilegia omnia per prædecessores suos, reges, et imperatores Romanos præfatæ Ro. et aliis quibuslibet ecclesiis, quocunque concessa tempore, et continentiæ cujuscunque. Ipsaque omnia et specialiter ac præcipue per claræ memoriæ Constantinum, Carolum, Henricum, Ottonem quartum, Federicum secundum, atque Rodolphum, prædecessores ipsius super concessione, recognitione, advocatione, annotatione, quitatione, et libera dimissione, terrarum et provinciarum Romanæ ecclesiæ, ubilibet positarum, quarum etiam multas nominatim expressit, sedi apostolicæ, Romanisque pontificibus super quocunque tenore concessa, recognovit, confirmavit, et ex certa scientia innovavit, ac etiam de novo concessit. Et terras ipsas atque provincias recognovit ad jus et proprietatem ipsius ecclesiæ plenissime pertinere, easque nihilominus ex abundanti de novo ecclesiæ sæpe fatæ donavit, sub prædicto se obligans juramento, quod ipsas aliquamve ipsarum partem nullo unquam tempore occuparet, seu, (quantum in eo esset,) ab alio permitteret occupari; Nec in eis aut aliqua parte ipsarum, jura aliqua, possessiones aut terras[a] haberet seu quomodolibet possideret, Nec in eis etiam potestariæ seu cujusvis capitaniæ, aut jurisdictionem quamcunque per se vel per alium exerceret, quodque, (ut princeps catholicus et sæpe dictæ ecclesiæ advocatus atque defensor,) ipsam juvaret, et consiliis et auxiliis illi assisteret opportunis contra quoscunque inobedientes et rebelles eidem. Et præcipue contra occupantes seu turbantes terras prædictas seu provincias, vel partem quamlibet earundem. Sub eodem etiam juramento promisit, quod tam ipsam Romanam ecclesiam, quam alias ec-

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[s] [Clem. v. (Leips. ed.) in conc. Vienn.]

[t] [manus impendi unctionem]

[u] [*Ego Henricus Romanorum*]

[x] [*me de cætero protectorem*]

Juramentum Imperatoris tyrannicissimum.

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[y] [*reverenter*] [z] [*nunquam cum*] [a] [tenutas]

clesias, libertatem ecclesiasticam, bona, jura, prælatos et ministros ecclesiarum ipsarum manuteneret, conservaret atque defenderet suo posse, Et quod ecclesiæ Roma. vassallos contra justitiam [fol. 52 recto] nullatenus offensurus, devotos ac fideles ecclesiæ, etiam in imperio constitutos, benigne tractaret, Nec eos opprimeret contra justitiam, aut (quantum in eo esset), per alium opprimi sustineret, sed in suis potius juribus et justitiis conservaret. Hoc quoque Juramentum et etiam pristinum, pro eo nobis per suos nuncios, (ut præmittitur,) præstitum, receptis suæ coronationis insigniis innovavit, Prout in [b] patentibus literis, ante coronationem ipsam, ejus regio magno sigillo, et aliis post coronationem eandem ejus, imperiali arma bulla munitis, inde confectis literis, (quas in archivis Romanæ ecclesiæ reponi, et diligenter conservari fecimus,) plenius continetur.

fol. 52. verso]

Sex. de Sententia ab re judicata. [cap. ii.]

'erjurium See vol. ii. . 508. Answ. o Dev. Reb.]

[c] Inno. 4us de Federici 2i excommunicatione.

Ad apostolicæ. Et mox, Et, ut ad præsens de ceteris ejus sceleribus taceamus, quatuor gravissima, quæ nulla possunt tergiversatione celari, commisit. Dejeravit enim multoties, *pacem quondam inter ecclesiam et imperium reformatum temere violando.* (Et infra:) *Perpetravit sacrilegium, capi faciens cardinales sanctæ Romanæ ecclesiæ, ac aliarum ecclesiarum prælatos et clericos religiosos et sæculares, venientes ad concilium,* [d] quod prædecessor nostra duxerat convocandum. (Et infra:) De hæresi quoque non dubiis et levibus, sed difficilibus et evidentibus argumentis suspectus habetur. (Et infra:) Præter hæc *regnum Siciliæ, (quod est speciale patrimonium beati Petri, et idem princeps ab apostolica sede tenebat in feudam, jam ad tantam in clericis et laicis exinanitionem servitutemque redegit, quod, eis pæne penitus nihil habentibus, et omnibus exinde fere probis electis, illos, qui remanserunt ibidem, sub* servili quasi conditione vivere, ac Ro. ecclesiam, (cujus sunt homines principaliter et vasalli,) *offendere multipliciter et hostiliter impugnare compellit.* Posset etiam merito reprehendi, quod mille quidem fartorum annuam pensionem, in qua pro eodem regno ipsi ecclesiæ Romanæ tenetur, per novem annos et amplius solvere prætermisit. Nos itaque, super præmissis et quam pluribus

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[b] [*patentibus ante*]

[c] [Vide Mans. xxiii. 613.]

[d] [quod idem prædecessor]

Romani pon^{cis} est, principes excommunicare, deponere, et subditos ad rebellionem coercere.

[See vol. ii. p. 508. Answ. to Dev. Reb.]

Excommunicatio Federici.

aliis ejus nephandis excessibus cum fratribus nostris et *sancto concilio* deliberatione præhabita diligenti, (cum Jesu Christi vices, licet immeriti, teneamus in terris, nobisque in beati Petri persona sit dictum: Quodcunque ligaveris super terram ligatum erit et in cœlis:) *memoratum principem, qui se imperio et regnis, omnique honore et dignitate reddidit tam indignum, quique propter suas iniquitates a Deo, ne regnet vel imperet, est abjectus, suis ligatum peccatis et abjectum, omnique honore ac dignitate privatum a Domino ostendimus, denunciamus et nihilominus sententiando privamus, omnes, qui ei juramento fidelitatis tenentur adstricti, a juramento hujusmodi perpetuo absolventes, authoritate apostolica firmiter inhibendo, ne quisquam de cetero sibi tanquam imperatori vel regi pareat et intendat. Decernendo, quoslibet, qui ei deinceps velut imperatori vel regi consilium vel auxilium præstiterint seu favorem, ipso facto excommunicationis* [fol. 53 recto] *sententiæ subjacere.* Illi autem, ad quos in eodem imperio imperatoris spectat electio, eligant libere successorem. De præfato Siciliæ regno providere curabimus, cum eorundem fratrum nostrorum consilio, sicut viderimus expedire.

Papa omnes judicat, sine autho^{te} consilii, et est supra canones.

[e]Privamus. Glossa. Propter crimina ergo deponit papa Imperatorem, ut hic. Idem cum est inutilis. 15. Q. 6. alius. et dat coadjutores ipsis malis administrantibus; supra, 3. e. li. [f]ut sup. negli. prela. gran. di. per negligentiam ipsorum jurisdictionem assumit; supra de fo. compet. Licet. compellit [g]episcopos justitiam facere 23. Q. 3^{a}. administratores. et jus canonicum etiam debitis casibus observare. supra eo. lib. de foro compe. c. 2. de jurejura. licet. infra de sententia [h]exercenda. decernimus. unum enim oportet esse principatum, ad quod omnes recurrant. 7 Q. 1. in apibus. qui fi. sint legit. per venerabilem. circa fi. versi. is vero etc. et de hoc vide quod no. Inno. et Host. de foro compe. Licet ex suscepto. [cap. x.] *Glossa. Et sine sententia vel licencia concilii, sententia Papæ sufficeret contra imperatorem et quemcunque alium.* Et mox. *Papa vero non subjicitur canonibus*, nec ab eis *authoritatem habet, sed contra. Ipse ergo omnes judicat, et nullus ipsum.* Et paulo post, dicit hic Inno: quod hæc sententia memoranda est, ut

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[e] [This Gloss is not in the Leips. ed.]

[f] [de]

[g] [ipsos]

[h] [exco.]

Excommunicatio Federici.

scient omnes quot et quantis periculis se subjicit ecclesia Ro. ut subditis pacem procuret, dans exemplum ceteris prælatis subeundi pro suarum ecclesiam defensione quocunque [i]periculorum. Et mox. Orta fuit controversia inter Romanam ecclesiam et Federicum Imperatorem. Nam cum ipse Federicus Imperator plures excessus commisit, papa eum citavit seu citari fecit, ut certa die coram se compareret, qui Federicus noluit comparere, quare Papa eum reportavit contumacem, et pro contumacia sua illum anathematizavit, et excommunicavit cum solempnitate. Nam Papa induit vestimenta papali et coram [k]undecimis episcopis indutis vestimentis episcopalibus, qui habebant quilibet unum cereum in manu, protulit sententiam excommunicationis in ipsum Federicum, et quilibet episcopus projecit suum cereum in terram, et cum pedibus conculcavit, ad signum maledictionis æternæ. Cum istud devenisset ad [fol. 53 verso] notitiam Federici Imperatoris, ipse indignatus, habuit guerram contra Romanam ecclesiam, et prælatos ecclesiæ. Et paulo post. Unde Federicus, imperator noluit acquiescere dictis eorum trium, propter quod indignatus Papa, et habito consilio cum suis cardinalibus, dictum Federicum privavit regno et imperio Siciliæ, quod regnum dictus Federicus tenebat in feudum ab ecclesia. Mandando insuper electoribus imperatoris ut alium imperatorem elegerent, quod fecerunt ipsi electores. Et sic durante vita ipsius Federici fuerunt duo Imperatores electi. Additio. Refert hic Franc. quod ipse Federicus post depositionem tenuit regnum, et eo mortuo filius ejus Corradus. Et eo mortuo, alter filius Manfredus. Et hæc fuere tempore Alex. quarti et Urbani. Demum Clemens quartus dedit regnum Domino Carolo fratri Regis Franciæ, qui bellum habuit cum dicto Manfredo, in quo mortuus est ipse Manfredus. Deinde Corradinus filius dicti Corradi. Dicens regnum ad se spectare, intravit Apuliam viriliter et potenter, et ibi devictus et captus per dictum Carolum decapitatus fuit.

. 54 recto]

De appellationibus. [cap. xl.]

ETEREA

Cœlestinus 3^{us}

Præterea requisiti fuimus, si quis judex ita protulerit sententiam, nisi Sempronio infra viginti dies satisfeceris, te excommunicatum vel suspensum aut interdictum esse [l]cognoscas, ille, in quem [m]fertur sententia, medio tempore appellans, ad diem statutum minime satisfecerit, utrum ille sententia tali ligetur, aut interpositione [n]apo. tutus exsistat? Videtur autem nobis, quod hujusmodi sententiam [n]apo. obstaculum debeat impedire.

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[i] [pericula.]

[k] [xii]

DENIQUE

Denique quod quæris. Glossa. Jurisdictio temporalis non pertinet ad ecclesiam, nec de ea debet se intromittere in præjudicium judicis sæcularis, *jus cum vacat imperium* etc. De foro compe in c. 1^{n}. *Tunc cum propter defectum judicis sæcularis, bene appellabit ad papam.*

[fol. 54 verso]

De cohabitatione Cleri et Mulieris. [cap. iii.]

CLERICOS

[o] Alexander 3

[p]*Clericos in sacris ordinibus constitutos,* [q]*qui publice tenent concubinas, ad eas abjurandas nolumus a tua fraternitate compelli*, ne, in eandem fornicationem instinctu diabolicæ fraudis redeuntes, perjurii reatum incurrant. Verum ipsos per suspensionis et interdicti sententiam debes arctius cogere, ut mulieres ipsas a se ita removeant, quod de illis sinistra suspicio non posset haberi. Et si qui eorum ad ipsos redire, vel alias accipere forte præsumpserit, in aliquos eorum debes perpetuam excommunicationis sententiam proferre, ut alii eorum exemplo perterriti a similibus arceantur.

[fol. 55 recto]

De Præbendis et dignita. [cap. v.]

QUIA IN

[r] ALEXANDER 3^{us}

Quia in tantum [s]quorundam processit ambitio, ut non duas vel tres, [t]sed plures ecclesias perhibeantur habere, cum nec duabus possint debitam provisionem impendere, Per fratres et coepiscopos [u]nostros hoc emendari præcipimus, et de multitudine præbendarum [x]canonibus, quæ dissolutionis materiam et evagationis inducit, certumque continet periculum animarum, eorum, qui [y]ecclesiis deservire valeant, indigentiam volumus sublevari.

[l] [cognoscas, et ille]
[m] [fertur talis sententia]
[n] [i. e. appellationis]
[o] [Selemit. Archiep.]
[p] [Clericos autem in]
[q] [qui in domibus propriis publice]
[r] [In Conc. Lat. iii. c. 5. A. 1179.]
[s] [quorundam jam processit]
[t] [sed sex aut plures]
[u] [nostros carissimos, hoc]
[x] [*canonibus inimica, quæ*]
[y] [*ecclesiis digne deservire*]

[Id. cap. xxvii.]

DILECTUS [See Append. to this vol. No. 88** Letter to Q. Mary, p. 585.]

Ad Rom. ponm spectat collatio omnium beneficiorum ecclesiasticorum.

Dilectus filius G. [a]Clericus nobis exposuit conquerendo, quod, [z] Inno. 3us *cum pro eo ad Novarien. capitulum mandatum apostolicum misissemus,* ut eum in canonicum reciperent, [b]et *fratrem præbendam,* (si [c]qua qua tunc vacabat) *conferentes eidem,* et infra: Fra. [d]t. *Mandamus quatenus si tibi constiterit, quod in Novarien. ecclesiam præbenda vacaret tempore* [e]*quo ejusdem ecclesiæ canonici nostras* literas [f]reciperint, cum [g]eam alii in elusionem mandati nostri duxerint conferendam, *eundem clericum,* (si [h]non habet sufficiens beneficium [i]ecclesiasticum, *in canonicum recipi facias,* et sibi de [k]redditibus ecclesiæ, singulis [l]annis assignari proventus, donec ei sit in beneficio præbendali provisum. [m]GLOSA. Qui quam cito vacat beneficium, pertinet collatio ad capitulum seu episcopum, cum statim [n]possint conferre, *quousque interdicatur eis, vel mandatum recipiant super hoc.* Unde si vacat tempore quo literæ dabantur, non præjudicat capitulo, quousque ad ipsos mandatum perveniat, quia non tenentur divinare &c. Ut et benefi. ut nostrum unde collatio medio tempore facta, legitima est. *Sed mandato recepto, tunc primo præjudicatur eis.* Unde *postea non debent contraria facere,* quod si fecerint, procedetur contra eos prout dicitur hic.

[Id. cap. xxx.]

EXTIRPAN.

Exstirpandæ. *Et paulo post.* Qui vero parochialem habet [o] Idem in consilio generali. ecclesiam, non per vicarium, sed per se ipsum illi deserviat in [fol. 55 verso] ordine, quem ipsius ecclesiæ cura requirit, nisi forte [p]dignitati vel præbendæ parochialis ecclesia sit annexa, in quo casu concedimus, [q]ut, qui talem habet præbendam vel dignitatem, cum oporteat eum in majori ecclesia deservire, in ipsa [r]ecclesia parochiali idoneum et perpetuum habeat vicarium canonice institutum, qui, (ut prædictum est,) congruentem habeat de ipsius ecclesiæ proventibus portionem; alioquin illa se sciat authoritate hujus decreti privatum, libere alii conferenda, qui velit et possit quod dictum [s]est.

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[z] [Vercell. Episc.]

[a] [Clericus, pro quo canonicando in ecclesia Novariensi scripseramus, quod intendebat per nostras literas non obtento, contra canonicos ejusdem nobis]

[b] [*et in fratrem*]

[c] [qua tamen tunc]

[d] [tuæ per apostolica scripta mandamus]

[e] [quo super præbenda ejusdem]

[f] [*receperunt*]

[g] [eam penitus alii]

[h] [non alibi habet]

[i] [ecclesiasticum, juxta tenorem prioris mandati nostri a prædictis clericis in]

[k] [redditibus ipsius ecclesiæ]

[l] [annis competentes assignari]

[m] [The Gloss is not in the Leips. ed.]

[n] [possint beneficium conferre]

[o] [Ibid.]

[p] [*dignitati*]

In concilio generali. Lat. iv. a. 1215.

[fol. 55 verso] Sex. de præb. et dign. [cap. ii.]

LICET [See Append. to this vol. No. 88** Letter to Q. Mary, p. 585.] *Licet ecclesiarum, personatuum, dignitatum aliorumque beneficiorum ecclesiasticorum plenaria dispositio ad Romanum noscatur Pontificem pertinere,* ita quod non solum ipsa, quum vacat, potest de jure conferre, verum etiam jus in ipsis tribuere vacaturis; collationem tamen ecclesiarum, personatuum, dignitatum et beneficiorum apud sedem apostolicam vacantium [u]spiritualius ceteris antiqua consuetudo Ro^{mis}. Pon^{bus}. reservavit. [t] Clemens 3^{us}

De concessione præbendarum. [cap. iv.]

[x]Proposuit.

[fol. 56 recto] De testamentis. [cap. iii.]

RUBR. Si infra annum a die monitionis non fit exsecutio testamenti per debentem exsequi, devolvitur exsecutio ad episcopum. [y] GREGO. 3.

[Id.]

NOS Nos quidem &c. [z]Pervenit ad nos, S. de hac luce migrantem supremæ voluntatis elogio monasterium præcipisse fundari, cujus desiderium a T. religiosa femina ejus herede protrahitur. Quamobrem te hortamus, ut eam commoneas, quatenus [a]intra annum monasterium, quod jussum est, debeat ordinare, et cuncta secundum voluntatem defuncti sine altercatione construere. Quod si [b]intra prædictum [c]tempus sive in loco quo constitutum fuerat, [d]seu si ibi non potest, et alibi placet ordinari, tecum implere neglexerit; Tunc per te ædificetur, et omnia per te loco [e]ipsi sine diminutione qualibet [f]assignetur. Sic [g]enim secundum piissimas leges dilatas defunctorum pias voluntates episcopali decens est studio adimpleri.

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[q] [ut is, qui]

[r] [*parochiali ecclesia*]

[s] [*dictum est adimplere*]

[t] [alias, iv.—Clem. iv. Sext. MS. Leips. ed.]

[u] [specialius]

[x] [This paragraph is thus imperfect in the MS.]

[y] [Greg. i. (Leips. ed.) ex Reg. iv. 8.—Januario Epis. Caralitano.]

[z] [Pervenit siquidem ad]

[a] [infra]

[Id. cap. xvii.]

[UA NOBIS

Tua nobis f. intimavit, quod nonnulli, tam religiosi quam [h] GREG. clerici seculares et laici, pecuniam et alia bona, quæ per manus eorum ex testamentis decedentium debent in usus pios expendi, non dubitant aliis usibus applicare. Cum igitur in omnibus piis voluntatibus sit per locorum episcopos providendum, ut secundum defuncti voluntatem universa procedant, licet etiam a testatoribus id contingeret interdici; Mandamus, quatenus executores testamentorum hujusmodi, ut bona ipsa fideliter et plenarie in usus prædictos expendant, monitione [i] præ. compellas.

ol. 56 verso
blank]
ol. 57. recto]

De decimis pri. et obla. [cap. xiv.[k]]

Parochianos &c. Cum decimæ non ab homine, sed ab ipso Domino sint institutæ, quasi debitum exigi possunt.

[Id. cap. xxvi.]

UA NOBIS

Tua nobis f. intimavit, quod quidem [m]laici decimas ecclesiis [l] Innocentius 3^{us} et clericis tuis perversis machinationibus subtrahere [n]moliuntur. *Quidam enim ex eis semen et sumptus, qui fiunt in agricultura, dicunt primitus deducendos, et de residuo* [o] *impendendam decimam*

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[b] [infra]

[c] [tempus aliqua perficere negligentia vel calliditate distulerit, ut, sive in loco eo quo]

[d] [seu certe si]

[e] [ipsi venerabili sine]

[f] [*assignentur*]

[g] [enim et ante tremendum judicem tuum sententiam remissionis effugies, et secundum]

[h] [Gregor. ix. (Leips. ed.) Noviomen. Episc.]

[i] [i. e. premissa]

[k] [Alex. iii. Remensi Archiepiscopo.]

[l] [Vercellens. Episc.]

[m] [laici tuæ diocesis, et alii plures episcopatuum adjacentium, decimas]

[n] [moliuntur, et conceptæ perversitatis audaciam non curant satisfactione debita emendare. Quidam]

[o] [impendendam esse decimam]

asseverant. Alii vero de portione fructuum, quam a colonis accipiunt, partem decimæ separantes, eam capellis suis, aut aliis clericis[p], aut etiam pauperibus conferunt, vel in usus alios pro sua voluntate convertunt. Nonnulli etiam vitam clericorum tanquam abominabilem detestantes, decimas eis ob hoc subtrahere non verentur &c. Verum, si ad Deum, a quo cuncta bona procedunt, assertores hujusmodi debitum respectum haberent, jus ecclesiasticum diminuere non contenderent, nec decimas, (quæ tributa sunt egentium animarum,) præsumerent detinere. *Cum enim Deus, cujus est terra, et plenitudo ejus, orbis terrarum, et universi qui habitant in eo, deterioris conditionis esse non debeat, quam dominus temporalis, cujus [q]statutum de terris, quas exhibet aliis excolendas, non quidem deductis sumptibus aut semine separato, necessario cum integritate persolvitur: Nimis profecto videtur iniquum, si decimæ, quas Deus in signum universalis dominii sibi reddi præcipit, suas esse decimas et primitias asseverans,* occasione præmissa vel excogitata magis fraude [r]diminui valeant, cum Deo debita sit solutio decimarum in tantum, ut ad eas clericis exhibendas, quibus eas ipse pro suo cultu concessit. Laici, si moniti reddere noluerint, ecclesiastica sunt districtione cogendi. Et cum de cunctis omnino proventibus decimæ sunt reddendæ, sicut colonus de parte fructuum, quæ sibi remanet [fol. 57. verso] ratione culturæ, sic et dominus de portione, quam percipit terræ, decimam reddere sine diminutione tenetur. Prætextu vero nequitiæ clericorum nequeunt [s]eas, (nisi quibus ex mandato divino debentur,) pro suo arbitrio erogare. Cum nulli sit licitum aliena cuiquam concedere, præter domini voluntatem. (Et infra:) *Quoniam igitur pati [t]nolumus, ut ecclesiarum et clericorum jura præsumptione qualibet [u]minuantur,* Mandamus, quatenus omnes, qui ratione personarum aut etiam prædiorum decimas ecclesiis et clericis tuæ diœcesis exhibere tenentur, ad eas cum integritate reddendas ap. [x]re. compellas.

[p] [aliis clericis, seu ecclesiis, aut]

[q] [statutum debitum de terris]

[r] [diminui forte valeant]

[s] [eas aliis, nisi]

[t] [nolumus, nec debemus, ut]

[u] [minuantur, fraternitati tuæ auctoritate præsentium mandamus,]

[x] [remota, auctoritate apostolica per excommunicationis vel interdicti sententiam, compellas.]

fol. 57. verso]

DE VOTO ET VOTI REDEMP. [cap. v.]

ON EST OTI

Non est voti dicendus transgressor, qui quod [z]*vovit authoritate sedis* [a]*apo. distulit adimplere.* [b]GLOSA. Sane significavit [c]nobis Rex Ungariæ, quod, cum in regni perturbatione consilium et auxilium tuum sibi senserit hactenus profuisse, utilitati ejus non modicum derogaret, si Hierosolymam, (sicut ex voto teneris,) regno pergeres impacato. [d]etc. *Ideoque mandamus,* quatenus non prius iter arripias Hierosolymam adeundi, quam regnum ipsum fuerit tranquilitate [e]pristinæ restitutum, *vel super hoc recesseris ab apo. se. mandatum.*

[y] Innocentius 3^{us}

[Id. cap. vi.]

ICET

Licet universalis . . . *Et mox, Mandamus,* quatenus, postpositis ceteris solicitudinibus, usque ad festum exaltationis sanctæ crucis[g] debitum acceptæ crucis exolvens, propositum iter accipias et humiliter prosequaris. *Ne,* si onus tibi a patre injunctum et a te sponte susceptum occasione qualibet detractaveris, *paterna te reddas successione indignum, et hereditatis emolumento priveris, cujus recusaris onera supportare; sciturus, extunc anathematis te vinculo subjacere, et jure, quod* [h]*tibi,* dictus Rex sine prole decederet, in regno Ungariæ competebat ordine genituræ, privandum, et regnum ipsum ad minorem fratrem tuum appel. postposita devolvendum.

[f] Idem

ol. 58. recto]

De celebra. Missarum. [cap. i.]

ESBITER

Presbiter . . . . *Et mox,* Deinde peractis horis et infirmis visitatis, *si voluerit, exeat ad opus rurale* jejunus, ut iterum necessitatibus peregrinorum et hospitum, sive diversorum commeantium, infirmorum atque [k]defunctorum succurrere possit usque ad

[i] Concilium Agathen.

---

[y] [Strigonien. Archiep.]

[z] [vovit de auctoritate]

[a] [apostolicæ, justa tamen ex causa, distulit]

[b] [The gloss is not given in the original MS. of the Abp.]

[c] [nobis carissimus in Christo filius noster Henricus illustris Rex]

[d] [*Mandamus*]

[e] [pristinæ faciente Domino restitutum]

[f] [Andreæ Duci.]

[g] Crucis proximo venturum debitum]

[h] [*tibi, si dictus*]

[i] [The author of this is Hincmarus Remensis, inter capitula c. 9.—Leips. ed.]

[k] [defunctorum quoque succurrere]

statutam horam, pro temporis [1] qualitate, Propheta dicente, Septies, *&c.*

[fol. 58. verso] De Baptismate et ejus effectu. [cap. iii.]

MAJORES Romana Ecclesia est judex fidei.

Majores ecclesiæ causas, præsertim articulos fidei contingentes, ad [m] INNO. 3us *Petri sedem referendas intelliget qui* eum quærenti Domino, quem discipuli dicerent ipsum esse, respondisse notabat, Tu es Christus Filius Dei vivi, et pro eo Dominum exorasse, ne deficiat fides ejus. Et mox, Ceterum ex vi literæ satis patet, prædictas authoritates intelligendas esse tantummodo de adultis, qui habent multitudinem peccatorum; cum de parvulis non possit intelligi, qui peccato tantum originali tenentur. Similiter et illa[n] authoritas est solvenda: Qui crediderit, et baptizatus fuerit[o], salvus erit, etc. cum non possint credere parvuli, sed adulti. Et ob hoc tota authoritas hic intelligenda [p] est de adultis, [q] ne ad alios prima, et ad alios secunda clausula referatur; quam vis nonnulli concedant, quod parvuli credunt non per usum, sed per habitum fidei, quem suscipiunt in baptismo, sicut et alia multa verba secundum communem usum loquendi non ad actum, sed ad aptitudinem referuntur. Illud vero, quod opponentes inducunt, fidem aut charitatem, aliasque virtutes parvulis, utpote non consentientibus, non infundi, a plerisque non conceditur absolute; cum propter hoc inter doctores theologos quæstio referatur, aliis asserentibus, per virtutem baptismi parvulis quidem culpam remitti, sed gratiam non conferri; [r] nonnullis dicentibus, dimitti peccatum, et virtutes infundi habentibus illas quoad habitum, non quoad usum, donec perveniat ad ætatem adultam. Et mox, Tunc ergo characterem sacramentalis imprimit operatio, cum obicem voluntatis contrariæ non invenit obsistentem.

[fol. 59. recto] De reliquiis et vene. Sanctorum. [cap. i.]

AUDIVIMUS Audivimus, quod quidam inter [s] vos, diabolica fraude decepti, ALEX. 3us hominem quendam in potatione et ebrietate occisum quasi sanctum (more infidelium) venerantur, Cum vix pro talibus in ebrietatibus peremptis ecclesia pemittat orare. Dicit enim [t]Apostolus: ebriosi regnum Dei non possidebunt. Illum ergo [u]non præsumatis de cetero colere, *cum, etiamsi per eum [x]miracula fierent, non liceret vobis ipsum pro sancto absque authoritate Romanæ [y]ecc. venerari.* Glosa. *Ideo non debet venerari pro sancto, quisquis miracula facit, nisi ab ecclesia Ro. prius fuit per testes legitimos approbatus.* Et mox, *quia quem ipsa reprobat reprobandus est, et quem approbat approbandus est.*

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[1] [qualitate, et opportunitatibus. Ex dictis Benedicti: Propheta]

[m] [Arelat. Archiepiscopo.]

[n] [illa alia auctoritas]

[o] [*fuerit, etc.*]

[p] [est tantummodo de]

[q] [*nec*]

[r] [nonnullis vero dicentibus, et dimitti]

[s] [vos sint, qui diabolica]

[z]Sex. de reli. et ve. Sanct.

DOMINUM.

[a]Clem. 5us

Si dominum . . . Ideoque universitatem vestram monemus et hortamur in Domino, et per apostolica scripta in virtute sanctæ obedientiæ districte præcipiendo mandamus, *in remissionem peccaminum* injungentes, quatenus tam excelsum et tam gloriosum festum prædicta quinta feria singulis annis devote ac solempniter celebretis, et faciatis studiose per universas ecclesias civitatum vestrarum et diœcesum celebrari, subditos vestros in dominica, dictam quintam feriam proxime præcedente, salutaribus monitis sollicite per vos et per alios exhortantes, ut per veram et puram confessionem, eleemosynarum largitionem, attentas et sedulas orationes, et alia devotionis et pietatis opera taliter se studeant præparare, quod hujus pretiosissimi sacramenti mereantur fieri participes illa die, possintque ipsum suscipere reverenter, ac ejus virtute augmentum consequi gratiarum. Nos enim, Christi fideles ad colendum tantum festum et celebrandum donis volentes spiritalibus animare, *omnibus vere pœnitentibus et confessis, qui matutinali officio festi ejusdem in ecclesia, in qua idem celebrabitur, interfuerint, centum, qui vero missæ, totidem,* Qui autem in primis ipsius vesperis interfuerint, similiter centum, qui vero in secundis, totidem, Illis vero, qui primæ, [b]tertiæ sextæ, et nonæ ac completorii officiis interfuerint, pro qualibet horarum ipsarum quadraginta. Illis autem, qui per octavas illius festi matutinalibus, vespertinis, missæ ac prædictarum horarum officiis

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tionem
ti.

manus
tifex
et autho-
tem con-
endi in-
gentias.
.59. verso]

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[t] [apostolus, quod ebriosi homines regnum]

[u] [ergo hominem non]

[x] [miracula plurima fierent]

[y] [ecclesiæ publice venerari]

[z] [This is a mistake. It is in the Clement: Const. De Reliquiis &c. cap. un.]

[a] [In Conc. Vienn.]

[b] [tertiæ et sextæ, nonæ]

interfuerint, centem dies singulis octavarum ipsarum diebus, de omnipotentis Dei misericordia, ac beatorum apostolorum ejus Petri et Pauli authoritate confisi, de injunctis sibi pœnitentiis relaxamus.

[fol.60. recto] De observatione jejuniorum. [cap. i.]

EX PARTE Ex parte vestra quæsitum [c] fuit, utrum, si Nativitatem Domini, vel Assumptionem beatæ Mariæ, vel festivitatem alicujus Apostoli, in secunda feria contigerit evenire, die Sabbati præcedentis vigilia debeat jejunari, et utrum in vigilia Beati Matthei apostoli sit jejunium injungendum? Ad quod breviter respondemus, [d] quod die Sabbati festivitates prælibatas secundæ feriæ præcedentis et beati Matthæi apostoli debet vigilia jejunari. [b] Innocentiu 3us

[Cap. ii.]

CONSILIUM Consilium nostrum &c. [f] Consult. Respondemus, [g] quod omnium Apostolorum vigiliæ sunt in observatione jejunii celebrandæ, præter vigilias Apostolorum Philippi et Jacobi, et B^{ti}. Joannis Evangelistæ, quoniam ipsorum solempnitas infra solennitatem paschalem, istius autem infra natalem Domini celebratur. Jejunium etiam apud nos in adventu Domini agitur. Sanctorum quoque vigiliæ, quorum festivitates oportet secunda feria celebrari, in præcedenti sunt sabbato jejunandæ. De festivitate vero beati Bartholomæi Apostoli, de cujus celebratione dubietas oritur apud [h] quosdam, Respondemus, quod in hoc consuetudinem tuæ regionis observes. Et infra, Cum autem quæsieris, quæ sit illis pœnitentia injungenda, qui diebus quadragesimalibus, [i] tempore quo tantæ famis inedia ingruebat, quod magna pars populi propter inopiam annonæ periret, carnes comedere sunt [j] coacti, Respondemus, quod in tali articulo illos non credimus [k] puniendos, preces tamen Domino pro illis et [e] Idem cum illis effundas, ne ipsis aliquatenus imputetur, quia bonarum mentium est, ibi timere culpam, ubi culpa minime reperitur. Item de illis, qui propter [k]debilitatem, in sabbato carnes sumunt, quod in partibus tuis nullatenus fieri consuevit, cum hoc ab aliis moleste feratur, et oriatur inde illis occasio detrahendi, Respondemus, quod super hoc consuetudinem tuæ regionis ol. 60 verso] facias observari, Sic tamen, quod debilibus et infirmis propter hoc periculum non emergat. [l]Præterea de illis, qui in quadragesima vel in aliis jejuniis solempnibus infirmantur, et petunt sibi esum carnium indulgeri; Respondemus, quod, (cum non subjaceat legi necessitas,) desiderium infirmorum, cum urgens necessitas exigit, supportare potes et debes, ut majus [m]periculum in eis evitetur.

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[b] [Clericis S. Petri Magolon.]

[c] [fuit a nobis, utrum]

[d] [quod et die]

[e] [Bracharensi archiepisc.]

[f] [*consultationi tuæ taliter* respondemus. — Cons. tuæ: omitt. Comp. iii.]

[g] [quod apud vos omnium]

[h] [quosdam, tibi petenti consilium respondemus]

[i] [tempore illo, quo: Comp. iii. & Reg.—tempore quo: Leips. ed.]

[j] [coacti, tibi breviter respondemus,]

[k] [puniendos, quos tam urgens necessitas excusavit, preces]

ol. 61. recto]

De immunitate ecclesiarum. [cap. iv.]

UBR.
See vol. ii.
512. Answ.
Dev. Reb.]

Laici, collectas imponentes clericis vel ecclesiis, seu jurisdictionem eorum usurpantes, si moniti non desistunt, sunt excommunicati cum suis fautoribus; potest tamen episcopus cum clero eis in necessitate præbere subsidia.

ON MINUS
lerici ad
blevandas
mmunes
ilitates et
ecessitates
hil conferre
ssunt sine
omani Pon-
ficis con-
nsu.

[n] Con. Lateranense

Non minus, &c. *In diversis mundi partibus consules civitatum et rectores, nec non et alii, qui potestatem habere videntur, tot onera frequenter imponunt* [o]*ecclesiis,* ut deterioris conditionis factum sub eis sacerdotium videatur, quam sub Pharaone fuerit, qui legis divinæ notitiam non habebat. Ille quidem (omnibus aliis servituti subactis) [p]sacerdotes et possessiones eorum in pristina libertate dimisit, et eis alimoniam de publico administravit. Isti vero onera sua fere universa imponunt ecclesiis, et tot angariis eas affligunt, ut [q]eis, quod Hieremias deplorat, competere videatur: [r]*Principes provinciarum facta est sub tributo*; *Sive quidem fossata sive expeditiones,* seu alia quælibet sibi arbitrentur agenda, *de bonis ecclesiarum et clericorum et pauperum Christi usibus depu-*

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[k] [debilitatem, quam in se sentiunt, in sabbato juxta terrarum consuetudinem aliarum carnes]

[l] [Præterea postulanti apostolicum responsum habere de]

[m] [*in eis periculum*]

[n] [Conc. Lat. iii. c. 19. A. 1179.]

[o] [ecclesiis, et ita gravibus eas et crebris exactionibus premunt, ut]

[p] [sacerdotes suos et]

[q] [eis illud, quod]

[r] [*Princeps*]

tatis volunt fere cuncta compleri. Jurisdictionem etiam et [s]*authoritatem prælatorum ita evacuant,* ut nihil potestatis eis in suis videantur hominibus [t]remansisse. Quocirca sub anathematis districtione fieri de cetero [u]talia prohibemus, nisi episcopus et clerus tantam necessitatem vel utilitatem aspexerint, ut absque ulla exactione ad relevandas communes utilitates vel necessitates, ubi laicorum non suppetunt facultates subsidia, per ecclesias existiment conferenda. Si autem consules aut alii de cetero ista commiserint, et commoniti [x]desistere noluerint, tam ipsi quam fautores eorum excommunicationi se noverint subjacere, [y]nec communioni reddantur, donec satisfactionem fecerint competentem. Et mox: [[z] cap. vi.] Super hoc tamen quod inique fecit, est alias legitime puniendus, et hoc verum est nisi publicus latro fuerat, vel nocturnus depopulator agrorum, qui dum itinera [a]frequentat, vel publicas stratas obsidet, aggressionis [b]insidiis, sub ecclesia extrahi potest impunitate non præstita.

[fol. 61 verso] [Id. cap. vii.]

Adversus [See vol. ii. 512. Ans. to Dev. Reb.]

Inno. 3us in con. generali

Adversus *consules et rectores civitatum, vel alios, qui ecclesias et ecclesiasticos viros talliis seu collectis et exactionibus aliis aggravare nituntur,* volens immunitati ecclesiasticæ Lateranense concilium providere, præsumptionem hujusmodi sub anathematis districtione prohibuit, transgressores et fautores eorum excommunicationi subjacere præcepit, donec satisfactionem impenderit competentem. *Verum, si quando forte episcopus* simul cum clericis tantam necessitatem vel utilitatem perspexerit, ut absque ulla coactione ad relevandas utilitates vel necessitates communes, ubi laicorum non suppetunt facultates, subsidia duxerint per ecclesias conferenda, Prædicti laici humiliter et devote recipiant cum gratiarum actione. *Propter imprudentiam tamen quorundam Romanus Pon. prius consulatur, cujus interest communibus utilitatibus providere. Quia vero nec sic quorundam* [d]*malitiam contra Dei ecclesiam* [e]*conquieverit, adjicimus, ut constitutiones et sententiæ, quæ a talibus vel de ipsorum mandato fuerint promulgatæ, inanes et irritæ habeantur, nullo unquam tempore valituræ.* CETERUM, quia fraus et dolus alicui patrocinari non debent, nullus [f]vario decipiatur errore, ut infra tempus regiminis sustineat anathema, [g]quatenus post illud non sit ad satisfactionis debitum compellendus. *Nam et ipsum, qui satisfacere recusaverit, et successorem ipsius, nisi satisfecerit infra mensem, manere decernimus ecclesiastica censura conclusum, donec satisfecerit competentem,* cum succedat in onere qui [h]in honore substituitur.

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[s] [auctoritatem episcoporum et aliorum prælatorum]

[t] [remansisse. Super quo dolendum est pro ecclesiis, dolendum etiam est nihilominus pro ipsis, qui timorem Dei et ecclesiastici ordinis reverentiam videntur penitus abjecisse. Quocirca]

[u] [talia severius prohibemus]

[x] [desistere forte noluerint]

[y] [nec fidelium communioni]

[z] [Innoc. 3. illustri Regi Scotiæ]

[a] [So Comp. i. Aug., Cont., Böhm.—frequentata: Leips. ed.]

[b] [insidiis, pro facinoris magnitudine, quum et communem utilitatem impediat, et nocere omnino moliatur, *ab* ecclesia]

[c] [Conc. Lat. iv. c. 46. A. 1215.]

3us in Con. Generali.

ol. 62 recto]

De Immunita. ecclia. [Sext. Decret. cap. i.]

UIA [i] NUL-
JM HA-
ENTES
ee vol. ii.
2. Ans. to
ev. Reb.]

on licet
minis tem-
ralibus
quas tallias
l collectas
igere a
ricis.

ALEX. 4us

[k]Apostolica sedes, curam habet ecclesiarum omnium et tutelam. Et mox, *Authoritate apostolica præhabita* [l]*in fratribus nostris diligenti deliberatione* decernimus, *non licere* præfatis communiis, scabinis, et iis, qui *in eis jurisdictionem temporalem obtinent vel justitiam temporalem exercent, talias, vel collectas seu exactiones quascunque ecclesiis vel personis ecclesiasticis imponere,* vel exigere ab eisdem pro domibus, prædiis, vel quibuscunque possessionibus, ab eisdem ecclesiis vel personis ecclesiasticis legitime hactenus acquisitis vel in posterum acquirendis, etiamsi ipsæ ecclesiæ vel personæ vel res hujusmodi sint [m]intra illorum districtum vel territorium constitutæ.

De Immunita. ecclesiæ. [Clement. cap. un.]

ONIAM
CON-
TU.
n licet
is tallias
col-
as exigere
lero.
e vol. ii.
. Ans. to
v. Reb.]

[n] CLEM. 5us

Volentes et firmiter statuentes, illud *contra quoscunque laicos, exigentes seu extorquentes ab ecclesiis ecclesiasticisque personis tallias seu collectas aut exactiones quascunque, et contra dantes ad id faciendum consilium, auxilium vel favorem, nec non* et circa præstandas subventiones laicis ab ecclesiarum prælatis et aliis viris ecclesiasticis, inviolabiliter observari, quod super his a præ. no. in *Lateranensi* [o]*et generalibus conciliis*, quæ nos sub obtestatione Divini judicii præcipimus observari districte, salubriter est provisum.

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[d] [*malitia*]

[e] [*conquieverit*]

[f] [So Cont.—vano: Leips. ed.]

[g] [So Cont.—quasi: Leips. ed.]

[h] [substituitur in honore]

[i] [*nonnulli*]

[k] [*sedis apostolicæ, quæ curam*]

[l] [*cum fratribus*]

[m] [So Böhm.—infra: Leips. ed.]

[n] [In Conc. Vienn.]

[fol. 62. verso blank.]
[fol. 63. recto]

NE CLERICI VEL MONACHI. [cap. iii.]

NON

Non magnopere . . . . Et Mox, Unde, [q]ne occasione scientiæ [p] ALEX. 3us spirituales viri mundanis rursus actionibus [r]involvantur, Statuimus, ut nulli omnino post votum religionis, et post factam in aliquo loco religioso professionem ad physicam legesve mundanas legendas permittantur exire. Si vero exierint, et ad claustrum suum [s]intra duorum mensium spatium non redierint, sicut excommunicati ab omnibus evitentur, et in nulla causa, si patrocinium præstare voluerint, audiantur. Reversi autem in choro, capitulo, mensa et ceteris ultimi [t]fratrum [u]existant, nisi forte ex misericordia se. apo., totius spem promotionis amittant. Et mox,

[Cap. iv.]

SED NEC

[x] IDEM in consilio Lateranen.

Sed nec procurationes villarum aut jurisdictiones etiam sæculares sub aliquibus principibus et sæcularibus viris, ut justitiarius eorum fiat, clericorum quisquam exercere præsumat. Si quis autem adversus hæc venire tentaverit, (quia contra doctrinam apostoli, dicentis: Nemo, militans Deo, implicet se sæcularibus negotiis, sæculariter agit,) ab ecclesiastico fiat ministerio alienus pro eo, (quod, officio clericali neglecto) fluctibus sæculi, ut [y]potestatibus placeat, se immergit. Districtius autem decernimus puniendum, si religiosorum [z]quisquam prædictorum ausus fuerit aliquid attentare.

Et paulo post.

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[o] [*generali*]

[p] [In Concil. Turon. A. 1163.]

[q] [ne sub occasione]

[r] [involvantur, et in interioribus ex eo ipso deficiant, ex quo se aliis putant in exterioribus providere, per præsentis concilii assensum statuimus,]

[s] [So Cont.; Böhm.—infra: Leips. ed.]

[t] [fratrum semper existant]

[u] [existant, et nisi]

[x] [Conc. Lat. iii. A. 1179.]

[y] [potestatibus sæculi placeat]

[z] [*quisquam aliquid prædictorum ausus fuerit attentare*]

[Cap. vi.]

SECUNDUM Laici non habeant ecclesias ad firmam. [See vol. ii. 12. Ans. to Dev. Reb.]

Secundum instituta prædecessorum nostrorum sub interminatione anathematis prohibemus, ne monachi vel clerici causa lucri negotientur, et ne [b]monachi a clericis vel laicis, suo nomine firmas habeant, *neque laici ecclesias ad firmam teneant.* Et mox. [a] IDEM

[Cap. x.]

SUPER

Super specula; et infra . . . . Contra religiosas personas, de claustris exeuntes ad audiendum leges vel [d]physicam, A. præ. no. olim statuit in conci. Turon., ut, nisi [e]intra duorum mensium spatium ad claustrum redierint, sicut excommuincati ab omnibus evitentur, et in nulla causa, si patrocinium præstare voluerint, audiantur. Reversi autem in coro, mensa, capitulo et ceteris ultimi fratrum exsistant, et, nisi forte ex misericordia se. apo. totius spem promotionis amittant. Verum, quia nonnulli ex talibus [f]propter opiniones diversas excusationis aliquid assumebant, Nos, volentes, [g]ut de cetero ipso facto sententiam excommunicationis incurrant, Districte præcipiendo mandamus, quatenus tam a diœcesanis et capitulis ipsorum [h]quam a ceteris episcopis, in quorum diœcesibus in hujusmodi student, [i]tales excommunicati et prædictis pœnis obnoxii publice nuncientur. Quia vero theologiæ studium cupimus auxiliari, ut dilatato sui tentorii [k]loco, funiculos suos faciat longiores, ut sit fides catholica circumcincta muro inexpugnabili bellatorum, quibus resistere valeat adscendentibus ex adverso: ad archidiaconos, decanos, plebanos, præpositos, cantores, et alios clericos personatus habentes, nec [m]non presbyteros, (nisi ab [n]his intra spatium præscriptum destiterint,) hoc extendi volumus et mandamus, et appellatione postposita firmiter observari.

[c] HONORI 3^{us}

fol. 63 verso]

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[a] [Londonien. Episc.]

[b] [monachi vel a clericis vel a laicis]

[c] [Patriarch. Antioch. et univers. archiep. et ep. in patr. Antioch. const.]

[d] [physicam, felicis memoriæ Alexander]

[e] [So Cont.; Böhm.—infra: Leips. ed.]

[f] [*quorundam*: a blank in the MS.]

[g] [ut tales de]

[h] [quam etiam a ceteris]

[i] [tales, sublato appellationis obstaculo excommunicati]

[k] [in loco, et funiculos]

[m] [non et presbyteros]

[n] [So Cont., Böhm.—infra: Leips. ed.]

[fol. 64. recto]

Qui filii sunt legitimi. [cap. xiii.]

PER VENE. [See Append. to this vol. No. 88** Letter to Q. Mary, p. 590.]

Innocentius 3^{us}.[o]

Per venerabilem fratrem vestrum, Arelatensem [p]archiepiscopum, tua nobis humilitas supplicavit, ut filios tuos legitimationis dignaremur titulo decorare, quatenus eis, quo [q]minus succederent, natalium objectio non noceret. Quod autem super hoc, apostolica sedes plenam habeat potestatem, ex illo videtur, quod, diversis causis inspectis, cum quibusdam minus legitime genitis, non naturalibus tantum, sed adulterinis etiam dispensavit, sic ad actus spirituales illos legitimans, ut possint in episcopos promoveri. *Ex quo verisimilius creditur et probabilius reputatur, ut eos ad actus legitimare valeat sæculares.* Et mox, Per simile quoque id videtur posse probari, cum eo ipso, quod aliquis ad apicem Episcopalis dignitatis attollitur, eximitur a patria potestate. Et paulo post, Rationibus igitur his inducti regi gratiam fecimus requisiti, causam tam ex veteri quam ex novo testamento trahentes, quod non solum in ecclesiæ patrimonio, (*super quo plenam in temporalibus gerimus potestatem,*) *verum etiam in aliis regionibus, certis causis inspectis, temporalem jurisdictionem casualiter exercemus.* Non quod alieno jure præjudicare [r]velimus; sed quia sicut in Deuterono. continetur. Si difficile et ambiguum apud te judicium esse prospexeris inter sanguinem et sanguinem, causam et causam, lepram et non lepram, et judicium intra[s] portas [t]tuas videris [u]variari; venies ad sacerdotes Levitici generis, et ad judicem, qui fuerit illo [x]tempore, qui indicabunt tibi judicii veritatem, et facies quæcunque dixerint, qui præsunt loco, quem eligerit Dominus, sequerisque eorum [y]sententiam. Qui autem superbierit, nolens obedire sacerdotis imperio, qui eo tempore ministrat Domino Deo tuo, decreto judicis morietur.

Romanus Pontifex judex rerum temporalium.

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[o] [nobili viro Gul. Monti Pessulani.]

[p] [Archiepiscopum, ad sedem apostolicam accedentem, tua]

[q] [*minus tibi succederent*]

[r] [velimus, vel potestatem nobis indebitam usurpare, quum non ignoremus, Christum in evangelio respondisse, "Reddite quæ sunt Cæsaris Cæsari, et quæ sunt Dei Deo." Propter quod postulatus, ut hæreditatem divideret inter duos, "quis," inquit, "constituit me judicem super vos?" Sed]

[s] [*inter*]

[t] [tuas verba videris]

[u] [variari: "surge et adscende ad locum, quem eligerit Dominus tuus," venies]

[x] [tempore, quæresque ab eis, *qui*]

[y] [sententiam, nec declinabis ad dexteram vel ad sinistram. Qui]

ol. 64 verso] Et mox, *Sunt autem sacerdotes Levitici generis fratres nostri, qui nobis jure Levitico in executione sacerdotalis officii coadjutores exsistunt.* Is vero super eos sacerdos sive judex exsistet, cui Dominus inquit in Petro: Quodcunque &c. *Et mox,* Tria quippe distinguit judicia; Primum inter sanguinem et sanguinem, *per quod criminale intelligitur et civile;* Ultimum inter lepram et lepram, *per quod ecclesiasticum et criminale notatur;* Medium inter causam et causam, *quod ad utrumque refertur, tam ecclesiasticum quam civile, in quibus cum aliquid fuerit difficile vel ambiguum, ad judicium est sedis apostolicæ recurrendum, cujus sententiam qui superbiens contempserit observare mori* [z] *præcipitur,* id est, per excommunicationis sententiam, velut mortuus, a communione fidelium separari. Paulus etiam ut plenitudinem potestatis exponeret, ad Corinthios scribens ait; *Nescitis, quoniam angelos judicabitis, quanto magis sæcularia.*"

l. 65 recto] De donation. inter vi. et ux. [cap. iii.]

PRU. manus ntifex est lex rerum poralium. ee Append. this vol. . 88**. ter to Mary. 90.]

De prudentia . . . . *Et mox.* Quia [a] igitur vos, qui de matrimonio principaliter cognovistis, et de dote, quæ est causa incidens, accessorie cognoscere valuistis, et sententialiter diffinire Manda. quate. prædict. H. monitione præmissa cogatis, ut prædict. M. totam [b] dotem, (sicut canonicum fuerit,) restituere non moretur.

a Clem. 3us.

. 65 verso] De symonia. [cap. ix.]

M IN

Cum in ecclesiæ corpore: et infra, Horribile nimis est, quod in quibusdam ecclesiis locum venalitas perhibetur habere, *ita, ut pro episcopis vel abbatibus seu quibuscunque personis ecclesiasticis ponendis in sedem, sive introducendis presbiteris in ecclesiam, nec non et pro sepulturis et exsequiis mortuorum, et benedictionibus nubentium, seu aliis sacramentis* aliquid [d] requiratur. Putant autem plures, ex [e] hoc licere, quia legem mortis de longa invaluisse consuetudine arbitrantur, [f] non attendentes, quod tanto graviora

c Concilium Lateranen.

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[z] [præcipitur, et auferri rudem de Israel, id est]

[a] [igitur, secundum jura, vos]

[b] [dotem suam, sicut]

[c] [Conc. Lat. iii. c. 7. A. 1179.]

[d] [requiratur, et non possit ille, qui indiget ista percipere, nisi manum implere curaverit largitoris. Putant]

[e] [hoc sibi licere]

[f] [non satis, quia cupiditate cæcati sunt, attendentes]

sunt crimina, quanto diutius infelicem animam tenuerunt alligatam. *Ne igitur hæc de cætero fiant, vel pro personis ecclesiasticis deducendis in sedem, vel sacerdotibus instituendis, aut sepeliendis mortuis, seu benedicendis nubentibus, seu aliis sacramentis conferendis seu collatis aliquid exigatur, distinctius prohibemus.* Si quis autem contra hoc venire præsumpserit, portionem cum Giezi se noverit habiturum.

[fol. 66. recto]

Ne Prelati. [cap. iii.]

Quoniam Damnat capellanos parochiales.

[g] Alexander in conc. La.

Quoniam enormis quædam consuetudo in quibusdam locis contra sanctorum Patrum institutiones invaluit, *ut sub annuo pretio sacerdotes ad ecclesiarum regimen statuantur, ne id fiat, modis omnibus prohibemus,* Quia, dum sacerdotium sub hujusmodi mercede venale disponitur, ad æternæ retributionis præmium consideratio non habetur.

[fol. 66 verso & fol. 67 recto blank.]
[fol. 67. verso]

De hereticis. [cap. ix.]

Ad abo.

[h] Lucius 3us.

Ad abolendam : et infra, *Universos, qui de Sacramento corporis et sanguinis Domini nostri Jesu Christi, vel de baptismate, seu de peccatorum confessione, matrimonio vel reliquis ecclesiasticis sacramentis, aliter sentire aut docere non metuunt, quam sacrosancta Ro. ecc. prædicat et observat, et generaliter, quoscunque eadem Ro. ecc. vel singuli episcopi per diœceses suas cum consilio clericorum, vel clerici ipsi (sede vacante) cum consilio, si oportuerit, vicinorum episcoporum hæreticos* [i] *judicaverint, vinculo perpetui anathematis innodamus.*

Sex. de hereticis. [cap. xi.]

Ut officium

[k] Clem. 4.

Ut officium inquisitionis contra hæreticos in provincia, in qua vobis idem officium est commissum, authoritate apostolica possitis efficacius adimplere : discretioni vestræ per apostolica scripta mandamus, quatenus ubique in præfata provincia simul vel separatim aut singulariter, prout negotii utilitas suadebit, contra hæreticos, credentes, receptatores, fautores et defensores eorum, nec non contra infamatos de hæresi vel suspectos, juxta sanctiones canonicas, (hominum metu, [l]divinoque timore postposito, procedatis. Et paulo post, Denique, ut circa præmissa plene vobis et singulis vestrum coertionis expedita et inviolabilis assit authoritas, Volumus, ut ea omnia viriliter exsequamini, (si opus fuerit,) invocato auxilio brachii sæcularis, contradictores per censuram ecclesiasticam (appellatione postposita) compescendo. Non obstantibus aliquibus privilegiis vel indulgentiis quibuscunque personis, cujusvis conditionis, dignitatis vel gradus, religionis vel ordinis, [m]comitatibus, universitatibus civitatum et locorum specialiter vel generaliter sub quacunque verborum expressione vel forma a memorata sede concessis, vel in posterum concedendis, cum ex hujusmodi vel aliis privilegiis vel indulgentiis nullum vobis in tantæ pietatis negotio [n]volumus obstaculum interponi, et constitutione de duabus diœtis edita in concilio generali. *Statuimus insuper, ut potestas, capitaneus, seu rector vel consules, seu quivis alii, qui civitati præsunt vel loco alteri ad præsens, aut præerunt in futurum, ad requisitionem diœcesanorum vel vicariorum suorum, seu inquisitorum hæreticæ pravitatis, jurent præcise attendere inviolabiliter et observare ac facere a suis subditis observari toto tempore sui regiminis in terris suæ [o]jurisdictionis regimini subjectis, constitutiones contra hæreticos, credentes, receptatores, fautores, et defensores eorum, [p]ipsorum filios et nepotes, a sede apo. promulgatas ac etiam approbatas, quas qui jurare noluerit et servare, ut infamis, et tanquam hæreticorum fautor ac de fide suspectus officio et honore sui regiminis spolietur, nec ulterius, [q]nec potestas, capitaneus, consul vel rector habeatur in aliquo, aut de cetero in aliquam dignitatem vel officium publicum ulterius assumatur, et quæ ut potestas, ballivus, consul vel rector fuerit, nullum obtineant firmitatem.*

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[g] [in Conc. Turon. (not Lateran) c. 5. A. 1163.—Leips. ed.]

[h] [in conc. Veron. A. 1185. Cf. Pagi Crit. in Baron. ad hunc ann.—Leips. ed.]

[i] [judicaverint, pari vinculo]

[k] [Inquisitoribus hæreticæ pravitatis]

fol. 68. recto]

'rincipes et
ectores co-
endi sunt ju-
ımento ut
ervent et ser-
ari faciant
ontra hære-
cos, quic-
uid sanxerit
c. Ro.

omanus
on. potest
novere prin-
pes et judi-
s, ac eos
ficiarios sæ-
lares a suis
ficiis.

Clem. v. de Hæreticis. [cap. i.]

. . . . Sic, quod quilibet de prædictis sine alio citare possit, *et arrestare sive capere, ac tutæ custodiæ mancipare, ponendo etiam in compedibus vel manicis ferreis,* si ei visum fuerit faciendum, super quo ipsius conscientiam oneramus; nec non inquirere contra

ol. 68 recto]

ULTORUM
ÆRELAM
omanus
ntifex con-
lit faculta-
n arrestan-
tute custo-
ndi, et in
npedibus
manicis
rcis ponen-

Clemens 5us.
in concilio
Viennen.

---

[l] [*divino timori*]

[m] [*comitatibus vel universitatibus*]

[n] [*velimus*]

[o] [So Codex Hasso Casselan.: jurisdictioni regiminive: Leips. ed.]

[p] [*ipsorumque*]

[q] [*ulterius potestas*]

illos, de quibus pro hujusmodi negotio secundum Deum et justitiam viderit expedire.

[fol. 68. verso blank.]

[fol. 69 recto] De excessibus Prælatorum. [cap. viii.]

SICUT UNIRE Sicut *unire Episcopatus, atque* [s]*prælati subjicere alienæ, ad summum Pontificem pertinere dinoscitur* : et infra, [t]*Glosa.* Pertinere. Nota quod quidam sibi in tantum sedes apo. reservavit, quæ ab aliis impune præsumi non possunt 17. di. Huic. *Solus Papa restituit depositos episcopus.* 2. Q. 6. Ideo. *Et deponit eosdem.* 3. Q. 6. accusatus. quamvis dudum. et supra de transla. inter corporalia. *dividit episcopatum in duos.* 16^{a}. Q. 1^{a}. præcipimus §. *Sicut unit duo in unum. ut hic,* 16. Q. 1. et temporis qualitas. *Eximit episcopos et abbates.* 16. Q. 1. Frater noster probat scripta aliorum et concilia. supra de summa Trinitate. ca. 2. in fi. et id. di. sancta Ro. et 17^{a}. di. Regula. et. 2. Q. 6^{a}. ideo. Articulos fidei solvit. 24. Q. 1. [u]quatenus qui vetus *et cum dubitatur de aliquo articulo.* supra de here. cum Christus *synodum facit* generalem. ut. 17^{a}. di. c^{o}. 1. ii. 3^{o}. *Transfert sedem episcopalem, de loco ad locum.* 7. Q. 1. Et temporis qualitas. *Mutat episcopos.* 7. Q. 1^{a}. mutationes. et supra de transla. per totum. *Appellat nullus ab ipso.* 9. Q. 3. Cuncta. Unde versus [r] CŒLESTINUS

Romanus Pon. episcopatus unit, et alterum alteri subjicit.

RESTITUIT PAPA, SOLUS DEPONIT ET IPSE,
DIVIDIT AC UNIT, EXIMIT ATQUE PROBAT.
ARTICULOS SOLVIT SYNODUMQUE FACIT GENERALEM,
TRANSFERT ET MUTAT, APPELLAT NULLUS AB IPSO.

[fol. 69. verso blank]

[fol. 70. recto] De peniten. et remissionibus. [cap. xiv.]

CUM EX Cum ex . . . . Et paulo post, Decernimus, ut, cum dedicatur basilica, non extendatur indulgentia ultra annum, sive ab uno solo sive a pluribus episcopis dedicetur, ac deinde in anniversario dedicationis tempore xl. dies de injunctis pœnitentiis indulta remissio non excedat. Et infra: Hunc quoque dierum numerum indulgentiarum literis [y]præcipimus aliquotiens conceduntur, cum [x] INNO. TERTIUS

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[r] [Cœl. iii. Faustino Episc.]

[s] [*potestati*]

[t] [This Gloss is not in the Leips. ed.]

[u] [quoties]

[x] [Conc. Lat. iv. c. 62. A 1215.]

[y] [præcipimus moderari, quæ pro quibuslibet casibus aliquoties]

Ro. Pon. qui *plenitudinem obtinet potestatis, hoc in talibus moderamen consueverit observare.*

De peniten. et Remissio. [Sex. Decr. cap. iii.]

INDULGEN. Indulgentiæ, quæ ab uno vel pluribus episcopis in ecclesiarum dedicationibus vel aliis quibuscunque casibus conceduntur, vires non obtinent, si statutum excesserint concilii generalis. BONIFA. 8.

Extravagant. De penitentia et remiss. [cap. i.]

ANTIQUORUM HABET . . . . Nos de omnipotentis Dei misericordia, et eorundem Apostolorum ejus meritis et authoritate [z] confisi, *de fratrum nostrorum consilio, et apostolicæ plenitudine potestatis* omnibus in præsenti anno millesimo trecentesimo, a festo Nativitatis Domini nostri Jesu Christi præterito [a] maxime inchoato, et in quolibet anno centesimo secuturo ad basilicas ipsas accedentibus reverentur, vere pœnitentibus et confessis, vel qui vere pœnitebunt et confitebuntur in hujusmodi præsenti, et quolibet centesimo secuturo annis, non solum plenam et largiorem, *immo plenissimam omnium suorum concedemus et concedimus veniam peccatorum,* Statuentes, ut qui voluerint hujusmodi indulgentiæ a nobis concessæ fieri participes, si fuerint Romani, ad minus xxx. diebus continuis seu interpolatis, et saltem semel in die, Si vero peregrini fuerint vel forenses, simili modo diebus xv. ad basilicas easdem accedant. Unusquisque tamen plus merebitur, et indulgentiam [b] efficacius et consequetur, qui basilicas ipsas amplius et devotius frequentabit. Bonifacius 8us.

Jubileus de-
et peccatum
nnus.

[fol. 70. verso]

[Id. cap. ii.]

NIGENITUS
EI FILIUS
. . . . Omnes, qui in anno a Nativitate Domini MCCC. et quolibet anno centesimo extunc secuturo addictorum Apostolorum basilicas de Urbe accederent reverenter, ipsasque, si Romani, ad minus xxx. si vero peregrini aut forenses fuerint, xv. diebus continuis vel interpolatis, saltem semel in die, dum tamen vere pœnitentes et confessi exstiterint, personaliter visitarent, *suorum omnium obtinerent plenissimam veniam peccatorum.* Et mox, Volentesque quam plurimos hujusmodi indulgentiæ fore participes, [c] Clemens 6us.

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[z] [*confisi, et apostolicæ*]

[a] [*proxime*]

[b] [*efficacius consequetur*]

[c] [Archiep. Tarracon. ejusque suffraganeis.]

cum pauci multorum respectu propter vitæ hominum brevitatem valeant ad annum centesimum pervenire, de fr. no. co. prædictam concessionem indulgentiæ ex supra scriptis et aliis *justis causis ad annum quinquagesimum duximus, reducendam*, Statuentes de fr. co. prædictorum et apostolicæ plenitudine potestatis, ut universi fideles, qui vere pœnitentes et confessi in anno a Nativitate ejusdem MCCC. quinquagesimo proxime futuro, et deinceps perpetuis futuris temporibus de quinquaginta in quinquaginta annis, prædictas eorundem Petri et pauli Apostolorum basilicas et Lateranensem ecclesiam, quam inclytæ recordationis Constantinus, postquam per beatum Silvestrum, sicut per eosdem Apostolos (Deo revelante) cognovit, renatus fonte baptismatis fuerat, [d]et contagio lepræ mundatus, in honorem Salvatoris construxisse, Quamque idem beatus Sylvester novo sanctificationis et chrisma- [fol.71. recto] tionis genere dedicasse legitur, et in cujus ecclesiæ parietibus præfati Salvatoris imago depicta primum toti populo Romano visibiliter apparuit, devotius veneranda, quam ex his et aliis certis et rationabilibus causis, ut [e]ipsam ecclesiam pariter indulgentiæ prædictæ privilegio decoretur, et devotus ab eodem Salvatore, qui in præfatis Apostolis mirabilis prædicatur, eorum meritis et precibus indulgentiæ mereatur precipere largitatem, in hoc censuimus venerandam [f]cum devotionis modo prædicto visitaverint, *plenissimam omnium peccatorum* [g]*suorum consequantur*, ita videlicet, ut, quicunque voluerint indulgentiam hujusmodi assequi, si Romani, ad minus xxx. si vero peregrini aut forenses, modo simili xv. diebus ad prædictas basilicas et ecclesiam accedere teneantur, adjicientes, ut ii etiam, qui pro ea consequenda ad easdem basilicas et ecclesiam accedent, post iter arreptum impediti legitime, quo minus ad Urbem illo anno valeant pervenire, aut in via, vel dierum prætaxato numero non completo, in dicta Urbe decesserint, vere pœnitentes (ut præmittitur) et confessi, eandem indulgentiam consequantur. Omnes nihilominus et singulas indulgentias, per nos vel prædecessores nostros Ro. Pon. tam prænominatis, quam aliis basilicis et ecclesiis de dicta Urbe concessas, ratas et gratas habentes, ipsas authoritate apostolica confirmamus et approbamus, ac etiam innovamus et præsentis scripti patrocinio communimus.

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[d] [*et a contagio*]

[e] [*ipsa ecclesia*]

[f] [*causa*]

[g] [*suorum veniam consequantur*]

l. 71 recto verso]

[Id. cap. iii.]

SI DOMI- CI GREGIS

Paulus Venetus 2.

. . . . *Et mox, Statuit et ordinavit, quod in quibuscunque concessionibus et facultatibus absolvendi casas infra scripti, tanquam speciales sedi apostolicæ reservati, semper intelligenter excepti, videlicet offensæ ecclesiasticæ libertatis, violationis interdicti ab eadem sede impositi, criminum hæresis, conspirationis in personam aut statum Romani Pontificis, seu cujusvis offensæ inobedientiæ seu rebellionis ejusdem Pon. vel sedis apostolicæ, Presbitericidii, offensæ personalis in Episcopum seu alium prælatum, Invasionis, deprædationis, occupationis aut devastationis, terrarum Romanæ ecclesiæ mediate vel immediate subjectarum, ac etiam invasionis Romipetarum, seu quorumcunque aliorum ad Romanam curiam venientium, Prohibitionis devolutionis causarum ad dictam curiam, delationis armorum et aliorum prohibitorum ad partes infidelium, impositionis novorum onerum realium vel personalium, ecclesiis vel ecclesiasticis personis, Simoniæ super ordinibus vel beneficiis assequendis in eadem curia* vel extra *contractæ, Et generaliter in casibus contentis in bulla, quæ consuevit in die cœnæ Domini per prædecessores suos Romanos Pontifices publicari* . . . . .

l. 71 verso]

sus reser- i Romano ntifici.

Et mox,

Ne prætextu concessionis hujusmodi vel pœnitentes vel confessores in suprascriptis casibus fallantur et fallant, statuit et decrevit, suæ intentionis fuisse et esse, per quascunque concessiones et facultates, per suam sanctitatem tam scripto quam verbo factas, et in posterum faciendas, nemini licere irretitos dictis casibus absolvere sine speciali suæ sanctitatis licentia, quinimmo concessiones et indulta prædicta quo ad casus exceptos hujusmodi nulli penitus suffragari.

[f 72 recto et erso]

[Idem cap. iv.]

Q MADMO- D OPERO- SI

Sixtus 4us.

Et paulo post, Olim siquidem fœlicis recordationis Paulus Papa secundus prædecessor noster, rationabilibus causis tunc expressis inductus, *de venerabilium fratrum nostrorum, tunc suorum, de quorum numero tunc eramus consilio, annum* jubilæum ad brevius tempus provida moderatione reducens, illum *ad annum vigesimum quintum apostolica authoritate restrinxit* [h]Et voluit statuit [i]ac decrevit ex causis prædictis, quod singulis xxv. annis jubilæus annus prædictus celebrari deberet, quodque anno Domini

J leus a is.

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[h] [*ac*]

[i] [*et*]

Renovat omnes priores indulgentias.

MCCCCLXXIIII proxime futuro, videlicet a vigilia nativitatis Domini nostri Jesu Christi, Idem annus jubilæus inciperet, et, ut sequitur, finiretur, ac universi [k]ac singuli utriusque sexus fideles, qui beatorum apostolorum Petri [l]ac Pauli basilicas, Lateranensem quoque et sanctæ Mariæ majoris almæ Urbis ecclesias statutis diebus devote visitarent, omnes et singulas indulgentias et peccatorum remissiones consequerentur, quas idem Pontifex suique prædecessores anno jubilæo hujusmodi basilicas et ecclesias prædictas visitantibus devoti concesserant, per quasdam primo, et deinde nos, qui, dicto prædecessore, (sicut Domino placuit,) sublato de medio, fuimus divina disponente clementia ad apicem summi apostolatus assumpti, et per [fol. 72 verso] alias nostras literas ejusdem Pauli predecessoris, ordinationem, voluntatem et statutum, ac omnia et singula in eisdem suis literis contenta, *de fratrum eorundem consilio approbantes,* Similiter statuimus et ordinamus, quod annus jubilæus prædictus, [m]in eisdem indulgentiis et remissionibus plenariis peccatorum anno proxime futuro a vigilia nativitatis ejusdem incipere, et, ut sequitur, continuari deberet, prout in singulis literis prædictis, (quarum tenores præsentibus haberi volumus pro expressis,) plenius continetur. Verum quia postmodum tam nos, quam idem Paulus prædecessor noster, dum in humanis ageret, animarum saluti fidelium intenti, multorum principum et aliorum Christi fidelium ac devotorum personarum pulsati precibus, diversas indulgentias [n]ac peccatorum remissiones plenarias nonnullis ecclesiis, monasteriis et piis locis duximus concedendas, propter quas populorum forsan concursus ad basilicas et ecclesias antedictas retardari, aut ipsius anni jubilæi celebritas minui vel intermitti posset, cum animarum non modico detrimento: Nos qui universorum credentium profectibus et saluti prospicere ex debito ministerii pastoralis adstringimur, (ne propter aliarum indulgentiarum hactenus a nobis, seu eodem Paulo vel aliis prædecessoribus nostris concessarum, hujusmodi effusionem, hoc sanctum opus, ac remissionis et gratiæ annus jubilæus intermittatur, aut fideles ipsi a tanto munere reddantur expertes,) [fol. 72. recto] remediis opportunis providere volentes, *Omnes et singulas plenarias etiam ad instar jubilæi,* ac etiam commutandi vota, aut super eis et male ablatis incertis, aut per usurariam pravitatem vel alium illicitum modum extortis, dispensandi et componendi, aut illa sub certis modo et forma remittendi, et deputandi confessores cum potestate absolvendi, etiam in casibus sedi apostolicæ reservatis, facultates, concessiones et [o]indulta nobis ab eadem sede, vel illius authoritate quibuscunque ecclesiis, monasteriis, hospitalibus, et piis locis, universitatibus, fraternitatibus quibuslibet, [p]tam perpetuum quam ad certum tempus, in vita seu in mortis articulo, quovis modo aut quavis causa quomodolibet concessas et concessa, et in posterum forsitan concedendas vel concedenda, authoritate apostolica tenore præsentium de apostolicæ potestatis plenitudine *usque ad nostrum et ejusdem sedis beneplacitum suspendimus, illasque durante beneplacito nostro et sedis prædictæ suspensas esse volumus,* nec interim alicui suffragari, indulgentiis tamen basilicarum et ecclesiarum dictæ urbis in suo plenario robore durantibus districtius inhibentes alias indulgentias præter istas duntaxat, in locis publicis vel privatis prædicari aut nunciari, earumque prætextu a quæstoribus aliquid exigi quoque modo. fol. 73 verso] Quinimmo quæstores et prædicatores quoscunque per locorum ordinarios a prædicationibus et [q]quæstis hujusmodi faciendis, volumus et mandamus præsentium authoritate arceri sub censuris et pœnis ecclesiasticis, de quibus visum fuerit opportunum.

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[k] [*ac*] [l] [*et*] [m] [*cum*] [n] [*et*]

ol. 74 recto
; verso]

De senten. excommunicationis. [cap. xix.]

Rubr. Excommunicatus pro injectione manuum in clericum, vel incendiarius post publicationem a solo Papa absolvitur.

UA NOS Tua nos duxit fraternitas consulendos, et infra: [r]Fraternitati CLEM. 3. t. t. Respondemus, quod non [s]solum qui in clericos temerarias manus injiciunt, Sed etiam incendiarii, ex quo sunt per ecclesiæ sententiam publicati, pro absolutionis beneficio ad ap. se. sunt mittendi.

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[o] [*indulta a nobis et eadem*]

[p] [*tam in perpetuum*]

[q] [*quæstibus*]

[r] [So in Cod. Luc. —breviter: Comp. ii.—fraternitati tuæ taliter: Leips. ed.]

[s] [solum ii qui]

[Id. cap. xlix.]

NOVERIT
Damnat statuta et consuetudines contra ecclesiasticam libertatem.
[See vol. ii. 508 and 512. Ans. to Dev. Reb.—and Append. to this vol. No. 80** Letter to Q. Mary.]

[t] HONO 3us

Noverit. *Et mox.* Excommunicamus [u]eos qui de cetero servari fecerint *statuta edita et* [x]*consuetudines introductas contra ecclesiæ libertatem,* [y]nisi ea de capitularibus suis [z]intra duos menses post hujusmodi publicationem [a]finem fecerint amoveri. Item excommunicamus *statutarios et scriptores* statutorum ipsorum, nec non *potestates, consules, rectores et consiliarios locorum,* ubi de cetero hujusmodi statuta et consuetudines editæ fuerint vel servatæ, *Nec non et illos, qui secundum ea præsumpserint judicare, vel in publicam formam scribere judicata.*

Sext. de sen. excom. [cap. xii.]

SI JUDEX
[See Append. to this vol. No. 88** Letter to Q. Mary, p. 585.]
Clericus malefactor non potest trahi in jus coram judice seculari.
[fol. 74. verso]

BONIFA. 3us

Si judex laicus malefactorem captum detineat, et is, se clericum dicens, ad curiam ecclesiasticam petat remitti, vel curia ipsa eum tanquam suum clericum repetat, judice illum inficiante clericum, ac ob hoc minime remittendum; dubitationis hujusmodi, an scilicet sit qui [b]reperitur clericus, ad judicem ecclesiasticum, (quia de re ecclesiastica et spiritali, vocato tamen judice sæculari, vel alio, cujus interest,) cognitio pertinebit. Et si notorium fuerit, quod idem malefactor sit clericus, qui hujusmodi privilegio gaudere debeat, [c]statimque absque alia cognitione, vel fama publica de hoc exstiterit, aut ipse pro clerico communiter habebatur: in continenti etiam ante cognitionem de clericatu ecclesiasticæ curiæ debet reddi. Et mox, Non sic autem volumus observari, si ante deprehensionem pro laico publice se gerebat, ac pro tali communiter habebatur; quamvis deprehensionis tempore repertus fuerit in habitu clericali. Tunc enim restituendus non est, quousque fidem de titulo fecerit clericali, cujus *eidem* [d]*onus probationis* incumbat propter præsumptionem, quæ adversus ipsum orta est ex delatione laicalis habitus [e]precedenti; CONTRA eum tamen interim quivis processus judicis penitus conquiescat.

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[t] [Episc. Bonon:—Rayn. ad A. 1220.]

[u] [*omnes* &c. . . .]

[x] [consuetudines, vel potius abusiones, introductas]

[y] [libertatem, et nisi]

[z] [So Cont., Böhm.—infra: Leips. ed.]

[a] [*publicationem*]

[b] [*repetitur*]

[c] [*statim*]

[d] [probationi onus]

[e] [procedenti]

ol. 75 recto blank]

ol. 75 verso] LIM

De verborum significatione. [cap. xvi.[f]]

Olim tibi scripsisse re. et in. [g] *Glosa.* Vel non refert ubi esset, *quia Papa sic voluit. Ergo sic servandum est licet durum.*

De regulis juris. [Sexti Decret. Reg. ii.]

SSESSOR pa tollit es omnes.

Possessor malæ fidei ullo tempore non præscribit. *Glo.* Quidem abhorrent, ducentes papam non posse tollere leges, nisi quoad suum forum. [h] Illi vero dicunt papam indistincte quoad utrumque forum posse leges tollere. In his autem tenens medium, credo, quod *papa ubi non habet temporalem jurisdictionem, non possit tollere legem quoad forum civile nisi in his in quibus vertitur periculum animæ, cum potestates distinctæ sint.* *Et paulo post.* *In his autem in quibus periculum animæ vertitur, quoad utrumque forum tollat legem, probatur, hoc de judi. novit. de præscrip. c. ult. et de secun. nup. c. penult. et ult. sup*ᵘ *eod. li. de excep. c. ii. de. sentent. excom. Decernimus.*

Τελός.

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[f] [Innoc. iii. Patriarch. Grandensi.]

[g] [This gloss, and the following are not in the Leips. ed.]

[h] [Alii]

[This digest of extracts follows the preceding Collection. It is given by Bp. Burnet, in his History of the Reformation, vol. i. pt. ii. pp. 391–398. ed. Oxon. 1829; by Dr. Jenkyns, in his Remains of Abp. Cranmer, vol. ii. pp. 1–10: and in Abp. Cranmer's Works, Park. Soc. Ed. vol. ii. pp. 68–75. It is here printed literally from the Lambeth MS. and the variations in the Library of Corpus Christi Coll. Cambr. (cccxl. p. 446.) follow. The numerals refer to these variations: the small letters to the passages in the preceding Collection.]

[fol. 76 recto] [a]Dist. 22. Omnes. [b]De major. et obedient. Solitæ. [c]Extrav. de majorit. et obedient. Unam sanctam.

He that [1]knowledgeth not hymselfe to be undre the Bishope of Rome, and that the Bishop of Rome ys ordainde by Godd to have prymacie over all the worlde, [2]*is a heretyke, and can not be saved, nor ys not of the flocke of Chryste.*

[3]Di. [d]10. [e]De sententia excommunicationis. [4]Noverit. [f]25 Q. 1. Omne.

Princes lawes, yf they be againste the canons and decrees of the Bishop of Rome, be of no force nor strengthe.

[g]Di. 19. [5][h]20. [i]24. Q. 1: [6]A recta: Memor: Quotiens: [7]Hæc est: [j]25 Q. 1: Generali: [k]Violatores.

All the decrees of the Byshop of Rome oughte to be kepte perpetually of every man, without any repugnaunce, *as Godds worde spoken* by the mouth of Peter, And whosoever dothe not receive them, *neyther availeth them the catholique faith, nor the foure evangelists, but they blaspheme the Holy Goste,* and shall have *no forgyveness.*

[1] [knowledge]

[2] [an]

[3] [Di. 10: wanting]

[4] [Noverit. 10. Q. 1. Noverit.]

[5] [20. per omnia. 24.]

[6] [A recta ergo fide: memor:]

[7] [Hæc est fides]

[a] [See above, p. 754. All these paginal references are to the preceding collection in this vol.]

[b] [p. 830]

[c] [p. 831]

[d] [p. 745]

[e] [p. 870]

[f] [p. 809]

[g] [p. 749]

[h] [p. 752]

[i] [p. 806, 807]

[j] [p. 809]

[k] [p. 808]

[l]25 Q. 1. Generali:

All Kings, Byshops, and [8]noble men, that beleve or suffer the byshop of Romes decrees in any thynge to be violate, be accursed, and *for ever culpable before Godd, as transgressors of the catholique faithe.*

[m]Di. 21: Quamvis. et [n]24 Q. 1. A recta. Memor.

The see of Rome hath neither spott [9]nor wrynkle in it, nor can not erre.

[o]25 Q. 1: Ideo. De senten. et re [10]judicata. De jurejurando. [p]Licet. [q]Ad apostolicæ. lib. 6. de jurejurando.

The Byshop of Rome ys not bounde to any decrees; but he may compell, as well the clargie as laiemen, to receive his decrees and canon [r]lawe.

[s]9. Q. 3. Ipsi: [s]Cuncta. [t]Nemo. [11]2. [u]Q. 6: Dudum. [v]Aliorum. [12]17. Q. [w]4: Si quis. [x]De baptis. et ejus effectu: Majores.

The Byshop of Rome hath authoritie to judge all men, and specialie to discerne the articles of the faithe, and that without any counsaile, and may assoil them, that the counsaile hath dampned; but no man hath authoritye to judge him, nor to medle with any thynge that he hath judged, neither emperor, kinge, people, nor the clargie, And it is not lawful for any man to dispute of his power.

[fo 76 verso] [13]92: [a]Duo sunt. [14]15. Q. [b]6: Alius: [c]Nos sanctorum: [d]Juratos. [15]In [e]Clemen. de hæreticis. Ut officium.

The Byshop of Rome maie excommunicate Emperors and princes, depose theim from their states, and assoile theire subjects from there [16]othe and obedience to theim, and so constraine theim to rebellion.

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[8] [nobles, that]

[9] [ne]

[10] [judicata. Ad apostolicæ in lib. 6. licet. li. 6. de jurejurando]

[11] [3: which is correct.]

[12] [11: .. but 17 is right.]

[13] [this ought to be 96.]

[14] [25.]

[15] [ought to be Sex. de hær.]

[l] [p. 809]

[m] [p. 754]

[n] [p. 806]

[o] [p. 809]

[p] [p. 840]

[q] [p. 843]

[r] [lawes.]

[s] [p. 781]

[s] [p. 781]

[t] [p. 780]

[u] [p. 779]

[v] [p. 780]

[w] [p. 802]

[x] [p. 852]

[a] [p. 769]

[b] [p. 798]

[c] [p. 799]

[d] [ibid.]

[e] [p. 862]

[f]De major. et obedient: : Solitæ. Clement. de sententia et re judicata : [g]Pastoralis.

The Emperor ys the Byshop of [17]Rome his subjecte, and the Byshop of Rome may revoke the Emperor's sentence in temporall causes.

[h]De elect. et electi potestate : Venerabilem.

It belongeth to the Bishop of Rome to alowe or disalowe themperor after he is elected; and he may translate [18]the empyre from Region to an other.

[i]De supplenda negligent. prælat. Grandi. [19]li. 6.

The Byshop of Rome may appointe coadjutors [20]unto princes.

[j]Di. 17 : Sinodum. Regula : nec licuit. Multis : concilia. [21] [k]96. Ubinam.

There can be no counsaile of Byshops withowte the authoritie of the see of Rome; And themperor [22]oughte not to be presente at the counsaile, excepte when matters [23]of the faith be entreatinge which belonge universallye to every man.

[l]2. Q. [24]6. [Decreto nostro.]

Nothinge may be done agaynste him that appelethe unto Rome.

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[16] [othe of]

[17] [Romes subject]

[18] [themperor from one region]

[19] [in li° 6]

[20] [unto every prynce]

[21] [Dist. 96: Ubinam legisse.]

[22] [ought to be]

[23] [of faith]

[24] [6. ad Romanam &c. Decreto]

[f] [p. 830]

[g] [Cap. ii. not in the collection.]

[h] [p. 822]

[i] [Sext. Decret. tit. viii. c. ii. not in the collection.]

[j] [p. 747, 748]

[k] [p. 768]

[l] [p. 777]

[25]9. Q. [m]3. Aliorum. [n]Dist. 40: Si papa. [o]Dist. 96: Satis.

The Byshop of Rome may be judged of none but of Godd onely; for althoughe he neither regarde his own salvation, nor no mannes else, but draw downe with him selfe innumerable people by heapes unto hell, yet maie no mortall man in this worlde presume to reprehende him, for so moch as he is called God, he may be judged of no man; for Godd may be judged of no man.

[26]23. [27]Q. 5. [[p]Omnium vestrum.]

The Byshop of Rome may open and shut heven unto men.

[q]Dist. 40. Non nos.

The see of Rome receveth holly men, or else maketh them holly.

[r]De pœnitentia. Di. 1. Serpens. [fol. 77 recto]

He that maketh a lye to the Byshop of Rome commytteth sacriledge.

[s]De consecrat. Di. 1. De locorum: Præcepta: Ecclesia.
[t]De elect. et electi potestate. Fundamenta.

To be senator, capitaine, [28]patricius, governor, or officer of Rome, none shall be elected or pointed, withowte the expresse license and speciale consente of the see of Rome.

[u]De electione et electi potestate: Venerabilem.

It appertainethe to the Byshop of Rome to judge, which othes ought to be kept, [29]and which not.

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[25] [1]

[26] [24: .. which is wrong. So Jenk: and Works of Cranm. Park. Soc. Ed.]

[27] [5. Manet. 8°. Omnium]

[28] [patricius, or governor]

[29] [and which not: omitted]

[m] [p. 780]

[o] [p. 769]

[q] [p. 757]

[n] [p. 757]

[p] [p. 805]

[r] [p. 810]

[s] [pp. 810, 811]

[u] [p. 822]

[t] [pp. 823, 824]

[x]De [29] jurejurand. Si vero. [y]15 Q. 6. Authoritatem.

And he maie absolve subjects from their othe of fidelytye, and absolve from other othes that oughte to be kepte.

[z]De foro competent.: Ex tenore. [a]De donat. inter virum et uxorem. De prudentia. [b]Qui filii sunt legit: Per venerabilem. [c]De elect. et electi potestate: Fundamenta. [d]Extravag. de majorit. et obedient.: Unam sanctam. [e]De judiciis: Novit.

The Byshop of Rome ys judge in temporall thyngs, and hath ii swerdes spirituall and temporall.

[f]De hæreticis: Multorum.

The Byshop of Rome maie gyve authoritie to arreste men, and [30]imprison theim, and put theim in manycles and fetthers.

[g]Extrav.[31] de consuetudine: Super gentes.

The Byshop of Rome maie compell princes to receve his [32]lagatte.

[h]De treuga et pace: Treugas.

It belongeth also to hym to appointe and commaunde peace and truce to be observed and kepte, or not.

[i]De præbend. et dig. [33]Dilectus. [k]Et, li. 6: Licet.

The collation of all spirituall promotions appertaign to the Byshope of Rome.

[fol. 77 verso] [l]De excessibus prælatorum: Sicut unire.

The Byshop of Rome may unite Byshoprickes togyther, and put one under another at his pleasure.

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[29] [This whole paragraph, De jurejurand:—to be kepte: omitted]

[30] [imprison theim in manycles]

[31] [De consuetudine]

[32] [lagattes]

[33] [Dilectus &c. Licet in lib. 6°.]

[x] [p. 840]
[y] [p. 798]
[z] [p. 836]
[a] [p. 861]
[b] [p. 860]
[c] [p. 823]
[d] [p. 831]
[e] [p. 832]
[f] [p. 863]
[g] [p. 821]
[h] [p. 832]
[i] [p. 847]
[k] [p. 848]
[l] [p. 864]

[m]Li. 6. de pœnis: Felicis.

In the chapter Felicis, li. 6. de pœnis, ys the most partial and unreasonable decre made by Bonifacius 8^{us}. that ever was red or harde, againste theim that be adversaries to any cardinall of Rome, or to any clerke or Religiouse man of the Byshop of Romes familie.

[n]Di. 28. Consulendum [o]Di. 96. Si Imperator. [p]11 Q. 1. Quod clericus. [q]Nemo: [r]Nullus: [s]Clericum, &c. Et, [t]Q. 2: Quod vero. [u]De sentent. excommunicatio. Si Judex. [x]2 Q. [34]5. [35]Si quis. [y]De foro competent: Nullus: [z]Si quis: [a]Ex transmissa. [b]De foro [36]compet. in 6: Seculares.

Laie men may not be judges to any of the clargie, nor compelle theim to paye their undoubted debtes but the Byshopes onely muste be there judges.

[c]De foro competent. Cum sit: [d]Licet.

Rectors of churches may [37]convente such as do theim wrong whither the will, before a spirituall judge, or a temporall.

[e]Ibidem: Ex parte: [f]Dilecti.

A laye man beinge spoylede may convent his adversarie before a spirituall Judge, whether the lorde of the [38]feode consente thereto or not.

[g]Ibidem: [39]Significasti. Et, [h]11 Q. 1: Placuit.

A laye man maie committ his cause to a spirituall judge; but one of the clargie maie not committ his cause to a temporall judge withoute the consente of the Byshop.

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[34] [ought to be 4.]

[35] [Si quis. Nullus.]

[36] [compet. &c. Seculares. de foro compt. in li^{o}. 6^{o}.]

[37] [convict]

[38] [Fee]

[39] [Significasti &c. Q. 1. Placuit]

[m] [Sext. Decr. Lib. v. tit. ix. c. v. not in the collection.]

[n] [p. 755]

[o] [p. 770]

[p] [p. 782]

[q] [ibid.]

[r] [ibid.]

[s] [ibid.]

[t] [p. 790]

[u] [p. 870]

[x] [p. 777]

[y] [p. 834]

[z] [ibid.]

[a] [ibid.]

[b] [Sext. Decret. lib. ii. tit. ii. cap. ii. not in the collection.]

[c] [p. 835]

[d] [ibid.]

[e] [p. 837]

[f] [ibid.]

[g] [p. 838]

[h] [p. 789]

[i]Ne clerici vel monachi: Secundum.

Laye men maie have no benefices to farme.

[k]De sententia excommunicationis: Noverit. [l]Extra.
de pœnitentiis et Remiss.: Etsi.

All they that make or write any [40]statute contrarie to the liberties of the churche, and all princes, Rulers and counsaillors, where such statutes be made, or suche customes observed, and [fol. 78 recto] all the judges and other that put the same in execution, and where [41]such statutes and customes have been made and observed of olde tyme, all they that put them not owte of there bokes[42] be excommunicate, and that so grevously, that they cannot be assoiled but onely by the Byshop of Rome.

[m]De immunitate ecclesiæ: Non minus: [n]Adversus: [o]Quia:
[p]Quum. [q]Et in 6: Clericis.

The Clergie, to the releffe of any common necessitie, can nothing conferre withowte the consente of the Byshop of Rome, nor [43]is it lawfull for any layman to lay any imposition of taxes, subsidies, or any charges upon the clargie.

[r]Di. 97: Hoc capitulo. Et, [s]63: Nullus, et quæ sequuntur.
Et, [t]96: Illud. Et [u]Bene[44] quidem. [x]De rebus eccles.
non alien. Cum laicis.

Laiemen maie non meddle with elections of the clergie, nor with any other thinge that belongeth unto theim.

[y]De [45]jurejurando: Nimis.

The Clergie oughte to gyve no outhe of fidelitie to there temporall governors, excepte the have temporalities of theym.

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[40] [statutes]

[41] [such owlde statutes]

[42] [booke]

[43] [nor it is not]

[44] [bini.. qu?]

[45] [Ibidem. Nimis]

[i] [p. 859]

[k] [p. 870]

[l] [Lib. v. tit. ix. cap. v. not in the coll.]

[m] [p. 108]

[n] [ibid.]

[o] [p. 109]

[p] [p. 115]

[q] [p. 867]

[r] [p. 772]

[s] [p. 759]

[t] [p. 767]

[u] [p. 768]

[x] [Decret. Greg. lib. iii. tit. xiii. cap. xii. not in the collection.]

[y] [p. 840]

[z]Di. 96: Bene quidem. [a]12. Q. 2. Apostolicos. Quisquis.

The goddes of the Churche maie in no wyse be alienated, but whosoever receiveth or [46]byeth theim, ys bound to restitution; And yf the churche have any grounde which ys little or nothyng worth, yett it shall not be gyven to the prynce; And yf the prynce [47]woll nedes bye it, the sayle shalbe voide and of no strengthe.

[b]12. Q. 2: Non liceat.

It is not lawfull for the Byshope of Rome to alienate or morgadge any landes of the Churche, for any manner of necessitie, except it be howses in citties, which be very chargeable to supporte and mayntayne.

[48]Di. 96: [c]Quis. [d]Nunquam. [e]2 Q. 7: Accusatio. [f]11. [fol. 78 verso]
Q. 1: Continua: [g]Nullus. [h]Testimonium. [i]Relatum.
[k]Experientiæ. [l]Si quisquam. [m]Si quæ. [n]Sicut. [o]Statuimus. [p]Nullus. And [q]De persona. [r]Si quis.

Princes oughte to obey the Byshops, and the decrees of the Churche, and to submyt their heades unto [49]the Byshops, and not [50]to judge over the Byshopes; for the Byshops oughte to be forborne, and to be judged of no laieman.

[s]De major. et obedient.: [51]Solitæ.

Kyngs and prynces oughte not to sett Byshopes bynethe theim, but reverently to ryse agaynste theym, [52]and to assygne theim an honorable seate by theim.

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[46] [byeth of theim]
[47] [wolde]
[48] [Ibidem: Quis]
[49] [ther]
[50] [to be judges]
[51] [Soliti.]
[52] [and assygne]

[z] [p. 768]
[a] [p. 791, 792]
[b] [p. 792]
[c] [p. 769]
[d] [p. 771]
[e] [p. 778]
[f] [p. 783]
[g] [ibid.]
[h] [p. 784]
[i] [ibid.]
[k] [p. 784]
[l] [ibid.]
[m] [p. 785]
[n] [ibid.]
[o] [p. 786]
[p] [ibid.]
[q] [p. 788]
[r] [p. 789]
[s] [p. 830]

[t] 11. Q. 1. Quæcunque : [u] Relatum : [x] Si qui : [y] Omnes.
[z] Volumus. [a] Placuit.

All maner of causes, whatsoever they be, spirituall or temporall, oughte to be determined and judged by the [53] clargie.

[b] Ibidem : Omnes.

No judge ought to refuse the wytnesse of one Bishop, although he [54] be but alone.

[c] De hæreticis : Ad abolendam. [d] Et in Clementinis : ut officium.

Whosoever teacheth or thinketh of the sacraments otherwise then the see of Rome doth teache and observe, and all they that the same see dothe judge heretiques, be excommunicate.

And the Byshop of Rome may compell by an othe, all rulers and other people, to observe, and cause to be observed, whatsoever the see of Rome shall ordayne concernynge heresie, and the fawters thereof; and who will not obaie, he mai deprive theym of there dignities.

[e] Clement. de reliq. et venera. Sanctorum : Si Dominum. Extravag.[f] de reliq. et venerat. Sanctorum : Cum præ excelsa. [g] De pœnitent. et remiss. Antiquorum : [h] Et Clemen^{m}. Unigenitus. [i] Quemadmodum.

[fol. 79 recto] We obteign remyssion of synne, by observing of [55] certain feasts, and certaigne pilgrimages in the jubile and other prescribed tymes, by vertue of the Bishop of Rome's pardons.

[k] De [56] pœnitentiis et remissionibus extravag. ca. 3 : Et si Dominici.

Whosoever offendeth the liberties of the churche, or dothe violate any interdiction that cometh from Rome, or conspyreth agaynste the person, or statute of the [57]Byshop, or see of Rome; or by any waies offendeth, disobeethe, or rebellethe agaynste the saide Byshope, or see; or that killeth a preiste, or offendethe personallye agaynste a Byshop or other prelate; or invadethe, spoyleth, [58]withholdeth, or wastethe landes belonginge to the Churche of Rome, or to any other Churche immediately subjecte[59] to the same; or whosoever invadeth any pylgrames that goo to Rome, or any suters to the cowrte of Rome; or that lett the devolucion of causes unto that cowrte, or that put any new charges or impositions reall or personal upon any church, or ecclesiasticall person; and generally, all other that offende in the [60]cases contayned in the bull, which ys usually published by the byshops of Rome upon Maundaie Thursdaie, all [61]theis can be assoiled by no preiste, byshope, archbyshop, nor[62] by none other, but only by the Bishop of Rome, [63]or by his expresse license.

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[53] [speretualtie]

[54] [he but]

[55] [certain pilgrimages]

[56] [In prædictis Clementinis : Et si Dominici]

[t] [p. 783]

[u] [p. 784]

[x] [p. 786]

[y] [p. 787]

[z] [p. 787]

[a] [p. 789]

[b] [p. 787]

[c] [p. 862]

[d] [ibid.]

[e] [p. 853]

[f] [Tit. xii. cap. i. not in the collection.]

[g] [extravag. p. 865]

[h] [ibid.]

[i] [p. 867]

[k] [ibid.]

[l]24. Q. 3: [64]Si quis.

Robbinge of the clergie, and pore men, appertaineth [65]unto the judgmente of the Byshops.

[m]23.[66] Q. 5.

He[67] is no man sleer [68]that sleeth a man which is excommunicate.

[n]Dist. 63: Tibi Domino. [o]De sententia excommunicationis: Si judex.

Here may be [69]added the moste tyrannicall and abhomynable othes which the Byshope of Rome exacts of themperors; In Clement.[p] de jurejurando: Romani. [q]Di. 63: Tibi Domino.

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[57] [Byshop of Rome or his see]

[58] [withholdeth, wastethe]

[59] [subjected]

[60] [causes]

[61] [thys]

[62] [or]

[63] [or by his expresse licence: omitted]

[64] [Si quis. Cum sacerdotes. Si quis. Illi]

[65] [to]

[66] [23. Q. 5: Excommunicatorum]

[67] [is man sleer]

[68] [which]

[69] [added to the moste]

[l] [p. 808]

[m] [p. 805]

[n] [p. 763]

[o] [p. 870]

[p] [p. 841]

[q] [p. 763]

[fol. 79. verso] [q] De consecrat. Di. 1. Sicut.

It ys better not to consecrate, than to consecrate in a place not halowed.

[r] De consecra. Di. 5: De his: [s] Manus: [t] Ut jejuni.

Confyrmacion, if it be mynestered by any other than a Byshop, ys of no value, nor ys no sacramente of the churche; also, confyrmacion ys moare to be hadd in reverence than baptysme: and no man by baptysme can be a [70] Chrysten withowte confirmacion.

[u] De pœnitent. Dist. i: Multiplex.

A penytente [71] person can have no remission of his [72] synne but by supplicacion of the preists.

[fol. 80. recto] [x] The Bushope of Rome alledgeth falsely to mayntain hys usurped power, thies Scriptures followynge, with many other.

In the Chapter, [y] Unam Sanctam, he abusethe to that purpose this texte, [z] Pasce oves meas; And thys also, [a] Unum est ovile et unus Pastor; And, [b] Ecce duo gladii hic: Et, [c] Converte gladium tuum in vaginam, Et, [d] Quæcunque a Deo [73] sunt ordinata [74] sunt; Et [e] ecce constitui te hodie super gentes et regna; et, [f] Spiritualis homo judicat omnia, ipse autem a nemine judicatûr; et, [g] Quodcunque ligaveris super terram, &c. et, [h] In principio creavit Deus cœlum et terram.

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[70] [Chrysten man]

[71] [man]

[72] [synnes]

[73] [sic in MS. Lamb.]

[74] [sunt; et spiritualis]

[q] [p. 811]

[r] [p. 817]

[s] [ibid.]

[t] [p. 818]

[u] [c. xlix. not in the collection.]

[x] [Dr. Jenkyns observes that "these remarks on the papal abuses of Scripture follow the extracts in the original MS. at Lambeth, but are not printed by Burnet;" and that the latter part is in Cranmer's own handwriting." It would seem that the whole is in his handwriting.]

[y] [p. 831]

[z] [St. John xxi. 15—17.]

[a] [St. John x. 16.]

[b] [St. Luke xxii. 38.]

[c] [St. Matth. xxvi. 52.]

[d] [Rom. xiii. 1.]

[e] [Jer. i. 10.]

[f] [1 Cor. ii. 15.]

[g] [St. Matth. xvi. 19.]

[h] [Gen. i. 1.]

In the Chapter, [i]Solitæ, De major. et obed. he abuseth thies texte, [k]Subditi estote omni humanæ creaturæ propter Deum, sive Regi tanquam præcellenti, sive ducibus, &c: Also this texte, [l]Ecce constitui te super gentes et regna, &c; Also this, Fecit[m] Deus duo luminaria magna in firmamento cœli, luminare majus, &c; Also, [n]Pasce oves meas; Et, [o]Quodcunque ligaveris super terram, &c.

In the Chapter, [p]Per venerabilem, Qui filii sunt legitt. he abuseth and false corrupteth this texte, Deut. [75]17. [q]Si difficile et ambiguum apud te judicium esse perspexeris inter sanguinem et sanguinem, &c. levynge out thies words, Secundum legem Dei; Also he abuseth this text, [r]Nescitis [76]quod angelos judicabimus, quanto magis secularia.

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[75] [14]

[76] [quia]

[i] [p. 830]

[k] [1 S. Pet. ii. 13.]

[l] [Jer. i. 10.]

[m] [Gen. i. 16.]

[n] [St. John xxi. 16.]

[o] [St. Matth. xvi. 19.]

[p] [p. 860]

[q] [Deut. xvii. 8.]

[r] [1 Cor. vi. 3.]

NUMBER IV.

[The volume from which this document is printed is a transcript of orders made at different periods. The first document, which extends to the end of p. 69, and contains the orders and statutes of Abp. Cranmer, was written in Abp. Parker's time, as appears from the date of 1561 in pp. 8 et seqq. and also from the mention of Matthew Archbishop of Canterbury in p. 15, and in p. 18 of the *Cardinal's* executors. The second document extends from p. 61 to 73 inclusive: several blank pages having been inserted between this and the first, in the last century. This is in a more modern hand, and, as appears from p. 73, was compiled after 1622. The third document extends from p. 74 to 78 inclusive, in a neater hand; no date. The fourth document occupying pp. 79 and 80 was made in 1663 in Abp. Juxon's time. The fifth document, p. 80 to the end, contains directions in Bishop Juxon's time in 1662.

This notice is written on the fly leaf. "These directions &c. very probably have been originally drawn up in Archbishop Cranmer's time; but from page 73 it appears that these were issued in Archbishop Abbot's time, and after the year 1622. M. L."]

ORDERS AND STATUTES OF HOWSHOLD OBSERVED IN THE HOWSE OF THO: CRANMER SOMETYMES LO: ARCHEBISSHOP OF CANT.

ORDERS. ADMISSION.

MS. Lambeth Libr. small folio. dccclxxxiv.

FIRST yt was the order that assone as any gentleman was entertained by the Lord, or yoman by Steward or hedd Officer (by the Lo: appoyntment) before he waighted on the Lord: he should present hymselfe in the counting howse before the hedd officers, and there should the Statutes of the house be redd unto hym, after w^{ch} an othe was ministred unto hym to be true and faithfull unto the Lo: And to doe his dutie in his chardge of service according to his calling to his possible power. After w^{ch} othe taken his name was entred wth the daie and yere by the Steward, or an other hedd officer in the Check roll.

HEDD OFFICERS.

HEDD Officers all suche were accompted, whome the Lord did call to be of Counsaile in his affaires, by what name soever they were called. And these did twise or thrice a weeke (or oftener yf occasion served) meete together in the Countinghouse to take order for the Lords better service, and to redres all faults and disorders, according as the fault required.

INFERIOR OFFICERS.

INFERIOR Officers were suche as receyved theire direction from the hedd Officers, and were not of the Lo: Counsaille nor admitted to the Counting howse, as the gent' of the horsse the Clerke of the Kytchyn, the gent' Usshers. All thes had their sev'll chardgs and duties, In the execution whereof yf they failed, they were to be reformed by the hedd Officers according to the qualitie of their Offence, Except the case were heinous and then one of the hed Officers advertised the Lord thereof.

CLERKE of the Kytchyn.

THE Clerke of the Kytchyn was bound to attend every counting howse daie in the Counting howse, upon the hedd officers to answere suche questions as should be demaunded of hym touching the Lo: service.

A GREATE booke or Legier was alwaies kept in the Counting howse wherein by the Clerke of the Kytchyn was recorded all suche things as were done by the hed officers in the Counting howse: to thend that yf the Lo: did desire to understand yt, he might perceave by the booke bothe what good orders they tooke from tyme to tyme for his better service: And also howe they reformed such faults and inconveniences as happened therein: The forme thereof was such.

Anno 1566. Aprilis
Mensis vicesimo
Die Veneris.

COMPLAYNT was made of such, or such a matter committed by H. N. the said H. N. being thereof convicted, yt was thus, or thus ordered.

SUBSCRIBED by the hedd Officers hands
so many as be present.

AND in like manner for everie one that was noted to neglect his dutie in his chardge being called into the Counting howse before the hedd Officers.

Anno 1566. Mensis Aprilis 24.
Lune.

Whereas it is observed that for lacke of due consideration in such or such poynts, such or such inconveniences have ensued, yt is thus or thus ordered, that from hensforth

Subscribed by the hedd Officers hand so
many as be present.

And so in all cases as occasion required.

Everi Saterdaie in the after none, the gent' usher that wayted that weeke, brought in a note into the Counting howse of such as had wayted the weeke before, and delivered yt to the hedd Officers, and in case any were disordered, or slacke, and negligent in doing theire dutie, noted the persons, And the hedd Officers calling the Offendo' before them, immediately take Order for reformacion as the cause required. The like bill was brought by the Marshall, or Yoman Ussher of the hall.

Every Mondaie morning, the gent' Usher for that weeke came to the Counting house, and toke a note of such as were to attend the weeke following in the greate Chamber (lykewise the Marshall, or yoman ussher of the hall) and according to that note, A bill was made wherein, every mans name, and chardge was sett downe, and that byll was fastned on the back side of the greate Chamber doore : to be seene of every man, that none could pleade ignorance of his chardge.

The Gentleman Ussher was to see good order kepte in the greate Chamber, and every morning both winter and sommer to be ther betwene six and vij in the sommer, and vij and viij in the winter, bothe to see that the Gromes, and yomen usshers of the Chamber did their office, and also to send for the gentlemen wayters that were absent, to gyve their Attendance. Neyther was yt lawfull for the gentleman Ussher in his wayting weeke unlesse he attended upon the Lord hym selfe to goe any where owt of the howse without the lycence of a hedd Officer, nor owt of the greate chamber at any tyme unles a hedd Officer were in place, and made privy unto yt, or that he had in his absence substituted his fellowe to waight for hym tyll his retorne. Soe that from the howres before mentioned both winter and sommer untill ix of the clocke at night, he and his company were bounde to gyve theire Attendance in the greater chamber, not to depart thence without a reasonable cause and intimacion thereof gyven to a hedd Officer, yf he were present, or the Gentleman Ussher in the hedd Officers absence, and that onely within the howse: but without the howse never, except the hedd Officer were made privie unto yt.

The hedd Officers likewise, were as often as they could for waightier affaires, to make theire abode in the greate chamber, both to see how well the gentlemen Ushers executed their duties: And also for other causes touching the Lo: honour: in causes of interteyning of strangers, or otherwise.

The hedd Officers had commaundment throughout the howse without lymitacion (respecting alwaies both the Lo: profitt and honour) inferior Officers, and gentlemen wayters were all stinted in the Counting howse every man according to his calling.

At the Counting house dore, when the hedd Officers satt about the Lo: affaires, one of the yoman Ushers did ever attende with a white rod in his hand, to be sent by them to and fro, as occasion required.

The Statutes, and the Leiger boke, and all other records of the Counting howse were in the custody of the Clerk of the Kytchyn, who kept the key of the Counting howse dore and by his man gave all the hedd Officers intelligence of every Counting house daie, as often as he was enjoyned by the Steward, Threasorer, or Comptroller so to doe.

The Treasorers office.

The Treasurer in place was next the Steward, and was for the Lo: between the Steward and the Comptroler. His office, (beside his chardge in seeing good order observed in the howse which (in his place) was equall with the Stewards Comptrollers, or any hedd Officers) was to receyve and keepe all money that was yerely to be spent in howshold causes within the howse. So that when any paiment was to be made, either by Steward, or Comptroller, of any bill or otherwise theie came or sent unto the Treasorer with all bills subscribed with theire hand, with *probatum est*, and hee after due examination of them, write under the said bills *Examinatum est per* H. M. So that the bills had first theire allowance and *Probatum est* of the Steward, and Comptroler: and after that, *Examinatum est* of the Treasurer, And so payment was made.

The Treasurer at the Audit charged Steward and Comptroller upon severall titles (as will after appeare) And then came the Treasurer with all the money he had receyved.

Besides every quarter in the Counting house the Treasurer brought in his account, and ther yt was recorded, And an extract of that record both under the Stewards and Comptroler's hands, and the other hed Officers brought to the Audyt.

Howshold Statute.

An Indenture tripartite was made of all the Lo: goods that should be occupied in the houshold. The one parte whereof remayned with the Lo: the other withe the Steward, and the third with the Comptroller.

The Steward made out of his Indenture other Indentures betwixt hym and the particular Officers, As betwixt hym and the yoman of the wardrobe, the yoman of the horsse, of the Seller, of the Pantry, of the Buttry, of the Ewery &c. Of all which yerely against the Audyt a due reckoning was made.

The Comptroler made a booke and divided yt into certaine tytles, as Wardrobe, Stable, Kytchyn, Ewery, Jorneyng, [a]Neccs, Borde wages, Rewards, Wages, and liveries, Pulia, Exemes, Provisions, Spicery, and Reparacions.

When any thing was bought wherewith the wardrobe was to be chardged, A bill was made thereof according to the forme hereafter written, The which bill the Comptroler examined over, and wrott to the totall some as appeareth.

June. 1561.

Thomas Marshall asketh allowaunce for xx$^{\text{tie}}$. elnes of Canvas by him bought of N. at viii. d. the elne	xiii$^{\text{s}}$. iiij$^{\text{d}}$.
Item for xx$^{\text{tie}}$. burden russhes	iij$^{\text{s}}$. iiii$^{\text{d}}$.

Summa xvi$^{\text{s}}$. viii.$^{\text{d}}$.

Probatur per me, N. N.
Ultimo die Junij. 1561.

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[a] [i. e. Necessaries.]

And then the Comptroler after he had entred the Lynnen clothe in his owne Coppie of the Lords Inventory, entred the bill in his owne Booke under the title that the bill beares, in the margent, as followeth.

June 1561.

ard-
be.

To Thomas Marshall ultimo Junii 1561 per billam
.... xvj^{s}. viij^{d}.

And the same manner was used in the title of the Stable, Kytchen, and Ewery.

Journieng.

When any servant was to be sent forth on the Lords busines he gave knowledge thereof to the Comptroller, and likewise at his commyng home againe, who noted the daie of his going forth, and comyng home in his wast booke. And when the servaunt cam to have his bill signed, the Comptroller examined the same with his owne remembrance, and thereafter allowed the bill.

What every gent should have for a daies Journeying with his horse, and what a yoman, yt was appoynted certainely in the booke of the lords Statutes, which were at thadmission of every servaunt redd over to the company in the compting howse, and every quarter beside.

If thallowaunce after the Lords rate were to little the Lord did supplie the rest by his owne warrant directed to the Steward by waye of reward. The forme of the bill, signing, and entring was as followeth.

June 1561.

urne-
g.

Thomas Graunt asketh allowance for iiij daies Journieng into Wales about the Lords busines his horse and hymselfe .. .. } v^{s}. iiii^{d}.

Item for two new shoes and one remove vii^{d}.

Summa .v^{s}. xi^{d}.

Probatur per me N. N.
xx^{mo} die Junii 1562.

June 1561.

urne-
g.

To Thomas Graunt per billiam xx^{o} Junii 1561. v^{s}. xi^{d}.

WAGIS AND LIVERY.

THE Comptroller had a Coppy of the check rolle whereby he knewe what entertainment any servaunt should have. And when the Steward had paid wages, or gyven lyveries he sent his bill to the Comptroller to be signed, who examined them with his checkroll, and allowed them accordingly, And then entred into his owne booke as followith.

JANUARY 1561.

To T. Marshall per billam x^{mo}. Januarii 1561	xx^{li}.

PULIA.

THE Comptroller did every weeke peruse the Bakers boke and did correct the excessive pres of things brought by him and payed owt all things mencioned in the bakers booke and cast over his booke, and wrot to the totall somme. Probat. etc. And entred in his owne booke as followeth.

JUNE 1561.

Pulia. To the Baker ultimo Junij 1561. vii^{li}.

PROVISION.

UNDER this title was comprehended many things bought by the Steward and others, As bifes mutton, Veales, Beauries, Porke, Linge Stockfish, Wyne, Wheate, Malte Pease Otes &c. And when the Stewards Bill came to the Comptroller to be signed, the Comptroller did paie out the things mencioned in the same and wrot to the some by him cast downe, Probat etc. And then entered in his own Booke as followeth.

JUNE 1561.

Provision. To the Steward per billam x^{mo}. Junij 1651. x^{li}.

EVERIE Monneth the Clarke of the Spicery brought his Bill to the Comptroller who examined the same paied it owt, cast yt over and wrott to the some Probat etc. and then entred in his Booke.

JUNIJ 1651.

To N, per billam ultimo Junij 1561. v^{s}.

EXEMES.

WHEN any present was given to the Lord, the Comptroller toke knowledge of it, and entring it into booke priced yt to the Clarke of the Kytchen who issued owt accordingly. The Steward kept a Boke of the same titles as the Comptroller did, and entred the bill signed, after the same name as the Comptroller did.

EVERIE WEEKE remaine was taken of the Wyne and allowance gyven of the Yoman of the Seller by the Comptroller of all reasonably expendid which the Comptroller did enter into his Copie, and then signed his Bill which was delivered to the Clarke of the Kytchen to enter.

The like Order was used with the Yoman of the Euery for lighte.

EVERIE WEEKE remaine was taken in everie inferior Office by the Steward and Comptroller, and upon divisions founde the Officer had a Clarke yet was he not thereby dischardged of his fault, but left to the Lords mercy till after the Audit when he should be called to accompte.

IT was rated by the Officers of the Compting house how much the Brewer should drawe of every quarter, and how much the Baker should make of every Busshell. And if the bere were faltie the Comptroller had auctority to refuse yt, and likewise of the bread, Also that the bread lacked waight, the Comptroller did reforme the pantlers tale according to the porcion of the rate.

EVERIE Morning in the Counting House the Comptroler did pase the pantlers bill and tried it by the Ushers boke for the Vshher kept a booke of all messes of meate spent in the howse both at Dinner and Supper, and finding him to aske allowance for more then the Vshers booke made mention of, or for more then the rate agreed on by the Officers of the Compting howse for lyveries or for more then he did shew good cause of Expence he did abridge him of his demaunde and entring the same in his Copie wrot to the Bill Probat etc, which was warrant to the Clerke of Kitcheyn so to entre.

THE same time also he perused the Yeoman of the Larders boke, and if he found that thexpence were contrarie to th'

Usshers booke, or rate agreed by the Officers of the Compting howse Or were more then should appeare by good cause, he did comptroll it and entring it in his own Copy wrot to the Larderers booke Probat, And then the Clerke of the Kytchen did enter yt.

It was Ordered that euerie Gelding should have weekly a busshell of Otes, and euery Stoned Horse a Bushell and a halfe.

Euerie Moneth the Yeoman of the horse did accompt to the Comptroller who allowed hym after the rate and made defalcations for horses absent or sent out about the Lords busines, and then entered the same in his[a] And wrot to the Yomans boke Probat etc. And thereby he had allowance at th' Audit.

Euerie Office did accompte at the Audit where the Treasurer did chardge the Steward with Money receyved And the Comptroler with title of provision.

Against the Audit remayne was taken of all graine, And if the same with the Butlers and Pantlers talies and Meale delivred into the Kytchen did amounte to the graine which the Brewer and Baker had receyved of the Steward then upon their accompt rendred they had theire quietus etc otherwise they stode at the Lords Mercie.

When the Lorde went to the Courte warning was gyven to the Servaunts that should attend vpon him by one of the Yomen Vsshers who had a byll made by the Officers of the Compting howse in that behalfe, And at the Lords retorne the Vssher made the byll for all the Servaunts and brought the same to the Comptroler with the byll which he had to warne them by; And the Comptroler signed the Bill allowing for every Yoman a vi^{d} a daye, and for every Gentleman a viii^{d} and entred in his Booke.

Junii 1561.

To Willm Mannford per billas xii^{o} Junii 1561 x^{s}.

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[a] [A blank space here.]

THE CHARGES.

So, Sett out at the entry of Matthue Arch: b: of Canter', by Willm Piercie Registrer to the Archdeacon of Canter :

FIRST in Ordinarie fees to the Queenes Household and the Chargdes of the Consecration	ccc^{li}
ITEM the Expences of yo^{r} intronisation	cc^{li}
ITEM, The Furniture of Yo^{r} howshold Stuffe as bedding hanging tapestries Carpetts &c.	ccc^{li}
ITEM Chaires and irons, tables stooles, Chests pewter brasse, and all other manner of Kitchen stuffe	cxx^{li}
ITEM Linnen of all sorts,	lxxx^{li}
ITEM the Furniture of Yo^{r} Chappell in meane sorte	xx^{li}
ITEM a Barge with th' Apparrell	xx^{li}
ITEM xx^{tie} Geldings at the least	lxxx^{li}
ITEM the Furniture of the Stable as Saddles Bridles, Sumpter and other like	xx^{li}
ITEM fowre great Horses according to the Statute	xl^{li}
ITEM the furniture of the Armery, as Dimilaunces, Corsletts, All iron Rivets Launces g[b] , pikes, bills halberts and bowes and Arrowes according to the Statute	c^{li}
ITEM necessarie howshold Plate	c^{li}
ITEM, Lyveries for Yo^{r} Servaunts, Gentlemen Yomen, and Gromes, viz in Cloth and Velvets	lxxx^{li}
ITEM, Wood, Haye and Otes	xl^{li}
ITEM in provision to be made for Yo^{r}. howshold Wheate Malte, beffes and Muttons	c^{li}
ITEM for Fishe viz, Saltfish, Lyng and Stockfishe for Store	xxx^{li}

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[b] [A blank here.]

Item in Wynes	xx^{li}
Item the necessarie furniture of Yo^{r} Selfe, viz. Silks Velvets furres	xl^{li}
Item Ye must make reckoning of other Chardge that of necessitie will followe amounting to the Some of cc^{li} at the least	cc^{li}
[c]Summa m^{li}. viii^{c}. iiii^{xx}. x^{li}	

It is to be remembred that Yee procure a Warrant for the dischardge of the Subsidies that were the Vacations for so much as the Queens Ma^{tie}. hath had hole Proffits.

Item it is to be remembered that ye procure a Warrant for the maie have the Profitts growing a festo Annunciaconis Vltimo

Out of the w^{ch} ye must paie a Subsidy ——— Amounting to ——— ccc^{li} and more.

Item It is to be remembred that Ye doe make staye of such timber and ymplements of howshold as do remaine at Forde and at Canterbury and were bought by Mr. Vaughan and Mr. Wyld, and to have them at the same prices, as it was conditioned with the Commyssioners at the Sale

Item it is specified specially to be remembred that the Queenes Ma^{tie}. be moved as touching the Exchange of the Lands and the recompence according to the statute wherein ye must desire Her Grace to take those Lands that you maie most conveniently spare, Unles Her Ma^{tie}. for some special cause will desire to have some Mannor above the rest

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[c] [i. e. £1890.]

CASUALL PROFITTS.

First the halfe Yeres ferme due at Michelmas	
Item the procurations of the Visitacons to be exercised Jure Metropolitico per potam puineiam above the Costs and Chardges of the same	cccc^{li}
Item Dilapidations from the Cardinalls Executors	iiii$^{c\,li}$
Item in Fines vpon the Graunt of New leases and Wodd Sales and for fines of Customarie Lands	
Summa	xiii$^{c\,li}$

These must be done by some other and not by yo^{r} selfe Ad euitandum Scandolum

HOWSHOLD STATUTES.

First it is Ordeined that every Household Man of what degree or condicion he be of shall here daily the Divine service in daies accordingly And that there shal be one of my Lordes Chapleynes readie to saie Mattens Communion and Evensong to the Howshold And that every Gentilman, Yoman and Grome, not having reasonable excuse shall be at the said Service.

Lodging within the Howse and waighting.

Item that eurie person of the Howshold be within the same house eurie Night without cause reasonable approued, in sommer by Nyne of the Clocke, and in winter by eight and none of them depart from the howshold without lycence, but duly to be attendant upon the Lorde within and without wheresoever he ride or goo, Except Officers and such other as shall be appointed to the Contrarie by the hed Officers.

Saruants, servants and horses.

Item that no personne within the howshold shall keepe any servants nor horses mor then shall be appoynted by the Lord, and shall gyve them sufficient wagis, and Lyvery of the Lords color to wait upon the Lord at his Commaundement.

KEYES of Chambers.

ITEM that euery Man at the Lords removing shall deliu^{r}. the Key of his Chamber vnto the keep of the Lords Howse and receave of hym the same againe at the Lords retorne.

MORES famulorum.

ITEM that everie person of Howshold of what degree or condicion he be abstaine himself from all and all manner of Othes, vncomely language, wordes of ribaldry mocking and scorning, vicious rewle and suspect places, and make no debates, pick no Quarrels, nor smite any person for any manner of cause or occasion gyven by worde or Deede or keep any Dogges within the Howshold, or make any noyes by night, as shoting, cryeing and blowing of hornes whereby any sclaunder or noyance maie growe within or without.

CONUEYING of Vessell and Vitaill out of the gates.

ITEM that no manner of person conveighe any manner of Vessell or Vitall owt of the Gates, nor into any Chamber or other place without knowledge of a hedd Officer, nor break any dore or Windowes, nor picke any locke by night, nor by daie of any Chamber or Howse of Office without the commaundement of an hedd Officer.

SERUICE at the second Course.

ITEM that all such persons as shall be appointed to serue the Lorde at his second course Imediatly after they haue done retorne downe into the Hall to Dynner, or Supper; without tarrieing in the Chamber, or taking with them any dishe of meate without it be gyuen them by the Almoner or kerver.

THE inferiour Officers reformacion.

ITEM Yf it so be that the hedd Officers finde any Officer wasting or outrageous, they shall send for hym into the Counting howse and there examine hym of his trespas yf he do not amend, they shall certifie the Lord of his default and put hym from his Office after monition as hereafter shall be appointed.

The inferior Officers accompt.

Item it is Ordeyned that euerie Officer shall for all such sommes and parcels as to his Office belongeth or be deliuered accompt with the Clerk of the Kytchen monethly and with the Hedd Officers quarterly of the same and the Cater to endent and accompt weekely at the furthest with the Steward and Clerke of the Kytchen. And if any thing lacke or be lost in the said Cater or other Officers default they shall paie therefore of theire wages, or stand to the Lords Grace.

Noo festing or banketing to be in the Offices.

Item it is Ordeyned that no psonne come into the Office nor an Officer into an other to make any dynners, suppers or common breakfaste or drincking without speciall lycence of an hedd Officer nor that any Officer delyver any manner of vitall out of his office but such and at such tyme and seasons as shal be appointed by an Hed Officer.

Playeing at Dice and Cardes.

Item It is Ordeyned and straightly commaunded and forbidden that none of the Lordes howshold take vpon him to playe any manner of game at dice cards and other hasardry in any Chamber or place, except openly in the Hall, or the Greate Chamber and there also onely in the xii daies in Christmas, and the holy daies from Allhallows daie vnto Candlemas, and then not after ix of the Clock in the night.

Fees.

Item yt is Ordeyned and appointed that no Officer of my Lords howshold take any fees in their Offices but such as shal be appointed by the Hedd Officers.

Item that no personne of the howshold of what Degree or condicion he be leave behynde hym whan he departeth out of the howsehold, neither Man Child, horse Greyhound nor other hounde at the said Lords chardge.

The inferior Officers.

Item that euery Servaunt and Officer be faithfull and diligent and attend in his Office according to his dutie, and be obedient vnto the hedd Officers, curties and familier to strangers for my Lords honor, And if any do contrary that his default be rehersed to hym in the Compting howse, And by the discretion of the hedd Officer to be corrected

The first daye of every Moneth.

Item that euery chargeable and accomptable Officer, that is to saie, the Bakers panters, Butlers of Wyne and Ale, Larderer, Caters, Squillerers, Husshers of the Hall and Yomen of the Ewry attend the first daie of eury moneth and gyve vnto the hedd Officers with the Clerke of the Kytchen the remaine in theire Offices, and the same daie see the provision made before and therevpon vnderstand and knowe the allowance vpon the same.

The Hedd Officers Chargde.

Item that the said Hedd Officers to whome the power and auctority in these premisses be committed doe theire effectuall endeavour and diligence in executing the Ordinaunces afore rehersed

Ryding in the Company of the Lord.

Item Yt is Ordeyned that euery personne of howshold at such seasons as my Lord rẏdeth, ryde not out of my Lords Company, except such as shall be appoynted with the Sumpter Horse, Officers, puru^{rs} and other which shall be assigned by the Hedd Officers for preparing of Vitalls and other Stuffe And that euery of the said persons and Officers ride according to theire degrees. Hedd Officers next vnto my Lord except the Crosse Bearer, and next after my Lord, Doctors and Chaplaines, and then Yomen, And after them Gromes, Pages and Males, And that no personne departe before ne his Servaunt ne tarry behinde, nor take no lodging, but such as shall be appoynted by the harbengers without cause reasonable approued, or lycence had, and that none receyve ryding Wage but such as ryde in the Lords Company from place to place.

THE Hedd Officers Chargde.

ITEM it is Ordeyned that the Hedd Officers or two of them at the least be twise in the Weeke in the Counting howse and call before them all my Lordes Officers, comaunding and straightly chardging them on my Lords behalf to be honest and vertuous and of good conversation trewe and diligent in theire Offices to the most honor and profitt of my said Lord ——— And what Officer is seen most Courteous, most obedient and most diligent, and can do best seruice of what degree he be that he shewed to my Lorde that he maie be furthered to a better seruice, or marriage whereby all other persons maie take example to doe the better Seruice for my Lords honor And such to arise from rome to rome and that once a daie an Hedd Officer come into euery Office, and see the guyding rule and disposition of the said Offices and yf he finde any defalt shortly to send for the said Officers into the Counting House and ther to see yt reformed, and punished and euerie trespasser, whether he be Officer or other person for his first and second trespass to be punished by warninge and to be entred into the Book of howshold And at the third trespasse to deliuer hym his Wages and cleane put hym owt of howshold.

PORTERS.

ITEM It is Ordained that the Porters shall dewly and truly keep my Lordes Gates from fowre of the Clocke in the morning vnto ix of the Clocke in the Evening from the xvth day of March vnto the xvth daie of October and from v of the Clocke in the morning vnto viii of the Clocke in the Evening from the xvth of October vnto the xv of March.

ITEM that they suffer no man to come into the Gates from the time that they understand that the Server be at the Dresser for my Lords Dinner or Supper vnto the tyme the latter Dynner and Supper be done, and if any person in that season would come in, the porters Curteously to Answere hym and to know the cause of his comying, And yf he be a person of honestie to take hym into his Lodge and to send for the person whome he would speake with and yf he be suche a personne as would speake with my Lorde then the Porters to come to an Hedd Officer and shewe to hym such a person is within his Lodge to th'entent yt he maie fellowship hym and so by hym the matter to be shewed to my Lord or else the personne to be brought vnto hym.

ITEM that before the Sewer be at the Dresser for my Lord the porter then shall come to Dresser and there receave his Messe of meate and so stright to his lodge, and that he suffer no vytall, meate, breade, Vessell nor fees to goe or passe owt of the Gates during the said tyme without he haue knowledge from the Hedd Officers.

VSSHERS of the Chamber.

ITEM It is Ordayned that the Vsshers of the Chamber shall keepe or doe duly cause to be kept by them selfe or a Yoman the Dore of the Greate Chamber and in reasonable tyme to Commaunde the Officers to prepare for my Lords Dynner and Supper and to see fier made in my Lords Chamber by a Grome thereof and torches and lights in tyme needful for the same.

DAYLY WAIGHTERS in the great Chamber.

22. ITEM yt is Ordained that a Gentleman Vssher or Yoman Hussher, foure Gentlemen and Yomen of the Chamber be daily attendaunt vpon my Lord in his Great Chamber by vi of the Clocke in the Morning vnto his departure vnto his own Chamber lodging towards his bedd at Night and these persons to be appoynted daily by an Hussher.

WAIGHTERS at the Lords table.

23. ITEM that the Hussher when the Lord dyneth abrode shall appoynte the Kerver, Sewer and Cupbearer, and Gentlemen Waighters for my Lords borde and that no personne serue at my Lords borde before he hath receyued his Othe in the Counting Howse, nor that any Kerver sewer nor Cupbearer convey awaie any Dyshes from my Lords table without Lycence of my Lord or of the Almoner nor that the Sewer dylyuer any Dishe to be borne to my Lords borde but only by Gentlemen yf they be present,

and after the Kerver and Sewer haue washed their hands to touche nor meddle with any manner of thing saue only that which they be appoynted, And that none of the said Husshers enter into my Lords Secreate Chamber without he be admitted by my Lord.

The Husshers for receyving of Strangers.

24. Item, that the Husshers of the Chamber see redyly that all Strangers be honestly receyued and theire Chamber made cleane euery man after his degree, and that they lacke neither bere, Ale, wyne, nor fyer nor Candles in tyme of the Yere And yf there be a man of Worship a rubberd Cloth, a Bason and an Ewer waxe and a towell and yf any of these things lacke to go to the Officer and comaund them to set yt forth.

Husshers for serving of the Lords Lyvery.

25. Item Yt is Ordayned that the Husshers shall sett Lyvery all night for my Lords by vij or viij of the Clocke at the farthest onlesse there be causes to the contrary to th' intent that the Houses of Office and the gates maie be shott in due tyme, and that no Lyuery be made nor delyuyred after my Lorde be serued for all night and that none of them that fetch Lyvery for my Lord or for any other strangers at any tyme enter into any Office but receave yt at the dore or barr.

26. Item that the Gromes of the Chamber fetch no wood, light nor waxe more then reasonable ought to be spent And that by the Ouersight of the Hedd Officers, and Husshers of the Chamber, And that there be deliuered no torch nor torchetts, owt of the place without commaundement of my Lords Hedd Officers and Husshers And that they bring daily theire torches and torchetts before one of the Ewry to be wayed and that none of Howshold take any torch out of the Ewry into the Court or his Chamber towre or other place without Lycence of the Hedd Officer.

27. Item. Yt is Ordained that the Steward, Treasorer and

Comptroller take to themselfe as they maie gyve good example to the howshold and that euery two Chapleynes and Gentlemen have for theire liuery euery night from Alhollontyde to Good Frydaie two Shids of Woodd two Whike lights and half a lofe of houshold breade a quart of beare or Ale and from Good frydaie to Alhollintide breade and beare or Ale only, And that no Man's Servant take any Woodd without deliveraunce of the Husshers or keeper of the Wood Yard, and that the Doctors instead of Howshold bread shall haue Manchetts.

28. Item that no lyuery of breade beare or Ale nor Vitaill be made to the Stable owt of any Office nor place without ouersight and commaundement of an Hedd Officer.

29. Item it is Ordained that the Marshall shall appoint daily a Grome Hussher to be in the Hall at vi of the Clocke in the morning and to make yt cleane, and to see in tyme to convenient fyer in the same.

30. Item that the Marshall Yoman Hussher and gromes be daily waighting in the Hall at Dynner and Supper and none of the Husshers waighters dyne but at the latter Dynner and Supper, and shall see euery person served accordingly from euery Office, and commaunde all Officers in convenient tyme to prepare and Ordeyne in theire Offices for the said Hall and during the tyme of Dynner and Supper the Marshall and the Husshers Waighters shall haue theire commaundements in euery Office for the Hall. And also that a Yoman Hussher be daily in the Counting Howse by viij of the Clocke in the Morning and there to shewe the Clerke of the Kytchen what messes of meate were spent in the Hall the day before at Dynner and Supper and lykewise what breade wyne and Ale, and what nomber of Strangers there were, and that Weekly euery Yoman Hussher keep his place.

31. Item that the Marshall see that no man Sitt with an Hedd Officer in the Hall except such as it shall please them to

call vnto them, nor any other persons to sit in the Hall besides their appointement or assignem^{t}, And that no mans Servant sit in the Hall, vnto such tyme they haue served the Hall.

32. Item that the Marshall nor Hussher suffer any Vitaill at meale tymes to passe throughe the Hall into any Office or Chamber vnless yt be gyven by a Hedd Officer for my Lords honor, except the Porters Lodge, Bargemen and Working Men, and they also to be attendant when the Almoner cometh in and his poore Men to see them serued from every Office.

33. Item That no man bring any stranger to be sett in the Hall but first he shewe to an Hedd Officer or Marshall and to tell of what condicion he be of to th' intent he maie be sett thereafter yf he be a Gent. to sit like a Gent. yf he be a Yoman to sit as a Yoman, a Grome, as a Grome And yf there be many Straungers to sitt them nighe together, and that they be rewarded as neede shal be.

34. Item that the Yomen Husshers sit by them selfe at the borde at the Hall doore and there to haue a Messe of Meate according for Yomen and that they suffer no other personne of Howshold nor Straungers to sitt with them without the commaundement of an Hedd Officer and that every of my Lords Servaunts be ready to do service at Dynner and Supper at the warning of the Marshall or Hussher.

35. Item, That the Marshall and Hussher see at the serving borde at tyme of breakefasts and Dynner that there be no kembing of hedds, leaping, wrastling or any other vnthriftie or lewde towches, evill language or railing and that one of the Husshers be appoynted to see daily thereto and yf any such persons be to certifie yt in the Counting howse, and there they to see yt reformed and punished.

36. Item, The Marshall and Hussher shall be accomptable and

ordain all bourds, trestles formes, rushes and strewing that belongeth to the Hall, and in the same wise the Husshers Chamber, for the Chamber.

37. Item yt is Ordained that the Marshall shall appointe Weekly an Hussher for the Counting Howse to[d]
and attende upon the Hedd Officers who at every such tyme when he shall be demaunded or called shall keepe the Counting Howse doore with a rod in his hand and warne and go for every such personne as he shall be required to bring them to the Counting howse And what personne that disobeieth him in his Commaundement, for that disobedience to be brought by a porter into the said Counting Howse and there to be punished for his trespas, and that neither for old service, nor for newe, any trespasser be favorede, but to be punished according to his trespas, Ne that any Hedd Officer nor other take partie nor favor any manner of personne of Howshold, more one then another in that which appteyneth to my Lord and to his Ordinances vpon his peril as he will avoyd my Lords great displeasure.

38. Item Yt is Ordained that the Garnatoure shall daily ouersee his Garnett and keepe yt cleane, and cast his wheat at seasonable tymes so that for default of oursight the said wheate take no hurte and to receave no wheate into the garnett but that which shal be good and sweete and at the receaving thereof to see yt measured to deliver yt to the myllers by taile and waight and thes tailes to be brought into the Counting howse eury weeke vpon paine of losing two weeks wages as oft as he runneth in default thereof.

39. Item That the Garnator be before hand with his wheate to be grounded at the Mill, and to be brought home so that yt maie be two or three daies at the least in the pastry before yt be boulted and well and trewly grounded for the most advauntage of the Howshold, or else to send for the

[d] [A blank here.]

Miller and to punish hym for his evill lyving, or else to chainge hym.

40. Item yt is Ordained and appoynted that there be in the backhowse, a yoman and a grome and that they make of eury busshell of wheate xxxij loves wayeing eury lofe xviij ounces, and that they be ready to bake breade for horses and that the branne be always reserved to the use of my Lorde, also that the said bread be wayed in the Counting Howse as oft as yt shall be thought needfull and yf the waight or the past be not sufficient, then the trespassor to be punished after theire defacts.

41. Item that the Bakers shall take by tayle and waight of the Garnator, and of the Miller all such Meale as is brought in by them into the Counting Howse euery Saterday And to see the taile of all such bread as is by them deliuered into the pantrye brought euery weeke into the Counting howse, and that they take no Strangers into theire Office nor deliuer any brann without the ouersight of an hedd Officer.

42. Item that no branne be removed two daies after it is bulted and euery time of moulding to warne the Clerke of the Kytchen to be there, or one for hym, and in likewise one of the pantry.

43. Item That they call diligently vpon the Garnator to send wheate to the Miller soe that it maie be 2 or 3 daies in the pastry at the least before yt be bulted, and as long after before yt be moulded, and that in theire defaulte my Lorde shall not be served with hott breade. but that they haue a batch before hand, and that no breade be brought owt of the back howse to the pantry in a cake nor bag but in a lepe or baskett and there softly to be laid into the bynne yf yt be hott.

44. Item that the Baker haue ready bulted daily fine flower and basterd for the Kytchen and pastry and tarts with the

Cooke at the deliuery thereof, and that taile to be brought into the Counting howse euery weeke once.

45. Item It is Ordayned that the panter receave no breade into the pantry from the back howse or other place as breade bought but by taile and sight of an Hedd Officer and that taile to be brought euery weekes ende into the Counting Howse and entred and that one of the Office be in the back howse at Moulding and waieing, and to call vpon the Baker aforesaid so that my Lord shall not be served without breade, nor that the panter sell any chippings nor other things in his Office without the ouersight of an hedd Officer or Clerke of the Kytchen, and such as shal be thought by them, fees not to be had to the Almes baskett and pultry be served.

46. Item that the panters Ordaine for al manner of frutes cheese Junieketts and other dainties according to the season of the yeare by the ouersight of the Clerke of the Kytchen and to attend in theire Offices at all tymes convenient or els certifie an Hedd Officer where they be. and to see suerly to theire Office and that it be kept cleane and also theire knyves.

47. Item, It is ordained that the butlers of the Seller keepe cleane theire Office, and all such wynes as be appoynted for my Lords drincking be reserued and kept suerly for his Lordship, and that no fees of Wynes be made by them nor other fees excep yt be first seene by an Hedd Officer And that they selt no hoopes on tonnes pipes hoggesheds, or any other Vessels but by theire ouersight, and that yt be forthwith entred, and diligently to take heed to theire Vesseilles and wynes, that in theire negligence none be perisshed, nor spilled, nor also keepe any eatinge or drinkinge, nor communicacions in the seller without my Lords commaundement in that behalfe except yt be for a straunger for my Lords honor or that an Hedd Officer be present, as they will answere at theire perill, and that they neither gyve, sell, nor convey any of my Lords

Wynes without the Lycence or Commaundement of my Lorde upon paine of losing theire Office.

48. Item that they take heede to all suche plate as is deliuered vnto them, and to keepe yt cleane and to deliuer yt faire againe And to attende vpon theire Officers or els to assign and shewe an hedd Officer where they shall be had.

49. Item that at the commyng of Wynes bought or presented they send for an Hedd Officer, or Clerke of the Kytchen to the intent they maie be seene full and hole guaged and so forth entred into the books of howshold of whose provision or presentacion they be of.

50. Item, that there be a Vessel Ordayned in the Seller for to put in broken Wynes and that Vessel to be deliuered to the Yoman of the sawcery in tyme convenient and as muche thereof to be made in vineger as shal be thought needful by the Clerke of the Kytchen and as shal be likewise thought needful by the Clerke of the Kytchen Wyne to be had into the Kitchen for Gellies pottage and other subtilities And that the butts of Malmsey and Rumney be saved for my Lord to carry books and other things.

51. Item yt is ordayned that the butlers of bere and ale keepe cleane theire Offices and sweete and likewise theire pottes cruisses and Cupps and that they attend suerly to such plate and stuff as is deliuered to them and that they neither take Ale nor beere into theire Offices but such as shall be appoynted in the Counting Howse nor bring in any newe Brewer nor Baker nor make any prizes of beare or Ale, nor potts Cupps nor Cruises And they shall see that all such Vessels of Ale and bere as cometh in keep full gadge, and that within three daies it maie be tasted and suche thereof as is not good to be stopped vp and the portre sent for to fetch yt home at his perrill.

52. Item, that the butler make no fees of Ale nor bere but such

as shal be seen by an Hedd Officer before yt be pyped or barreled or had owt of his Office without Lycence of a Hedd Officer And that one at the least be alwaies readie at his Office or els to certifie where he shal be founde to an Hedd Officer yf the Hussher call for my Lorde or Strangers.

53. Item, it is Ordained that the Ewrer be attendant in his Office and keepe all his stuffe cleane, and in due tyme at the Officers calling to be readey both for the Chamber and the Hall and to attend suerly to such plate and all manner of stuffe as is deliured them and so to deliuer yt againe And to deliuer no liueries of Wax tallowe or other thinge ne to take any fees but such as shal be appoynted in the Counting howse.

54. Item, that the Ewrer and Chandler deliuer his lyueries at due howres assigned and that there lack not in theire default torches, torchetts broth Candells sises, Mortars Guarriors or any other thynge and to come weekly euery weeke into the Counting howse and there to shewe what lights and other things haue byn spent that Week in there Office.

55. Item, it is Ordayned that the lavender washe for the Chappell Hall and Chamber, and all other Howses of Office as oft as neede shal be, and at the least two tymes in the weeke. And to wash no Mans stuffe with my Lords stuffe but suerly to keepe it and spend it as neede shall require And that no wast of Woodd coale or any other things being in his Office be made, and that he take heede suerly to all such Clothes, as shall be vnder his hande and that they be not changed, brent, torne, nor rent in any washing wringing pulling, or dryeing in his default.

56. Item yt is Ordayned that all such Spices and fruyts as shall be provided for my Lords Howshold be deliuered vnto the Clarke of the Spicery by waight and Indenture And

that the said Clarke deliuer none of the said spices nor Fruyts but by waight and the some thereof and the daie written and the personnes name that receaved yt and that he take heed daily to all suche spices and fruytes receyed, for dyners spices and frutes be tender and need of ouersight And weekely the expences to be brought into the Counting howse and there entred.

57. ITEM, It is Ordayned that the Cooks and Larderers trewly and sadly keep the Keyes of theire Office make newe records of that which they receave into the Kytchen or Larder of all Vitaills as well Butchers as Caters And that it be tailed out of hand and that none of the pages nor Children be lodged owt of the howse, but within that they maie haue oversight and gouernaunce of them.

58. ITEM, that there be one of th' Office appointed to keep the Kytchen Dore at Breakfast Meales and other tymes convenient that there be no resort of strangers or other in the Office.

59. ITEM that the Butchers and Larderers doe well and redily see to theire Offices and that theire Vitailles be seasonable kept And also keepe all suche Statutes and Ordinaunces as shall vnto them be made and assigned And also with all diligence keepe the Hedd Officers comaundement.

60. ITEM That the Cooks and Larderes season their Stuffe vnder theire hands both of fleshe and Fishe and euerydaie to come into the Compting howse to vnderstand howe their Offices shall be ordered the daie following and yf any fault be done that daie in seasoning theire fishe or fleshe to see it amended.

61. ITEM that no Cooke or Larderer make any fees of fleshe or fishe, nor of any other thing but such as shall be appoynted in the Counting howse, nor deliuer any fleshe, rawe, rost, sodden or baken to any personne without

Lycence or knowledge of an Hed Officer or Clerke of the Kytchen And also that they take not from the leade or pott any flottesse, but such as shal be first skommed of vnto the time the fleshe be taken owt for Dynner and that all such as will haue brewes be served, and that the flesh be so taken owt and smitten that yt maie be served hole into my Lords Hall, and likewise all rost to be smitten out, and not pricked brent nor mangled.

62. Item that the Cookes keep my Lords privy Kytchyn for his owne mouth and his meate to be dresst aparte holsomely and seasonably, and that in the default of suche stuffe as shal be brought in be no losse in the dressing or seasoning, but in the best wise they maie or can as they will answere at theire owne perill and that they suffer no manner of person of Howshold ne Stranger come into the privie Kytchyn and in special nigh to my Lords vitaill for his Mouth.

63. Item that the Cookes and pastillers taile with the Bakers for all such fyne flower and busterd as they receave of them and that taile to be brought into the Counting howse euery weekes ende and that they endevour themselfe to make dyuers potagies and dyvers bake meats which shal be a greate saving of other Meates and vitall, And also that they water nor stryke any manner of stock fishe or salt store, nor break upon sea Fishe or any other fresh water fishe without the Clarke of the Kytchen be present, And enter the nomber of the Messes that be apporcioned and assartayned.

64. Item, that the Cooks Larderers Squillerer, Butchers and Caters in likewise except Children of the Kytchyn and Squillery keepe the said Hall at the later Dynner, and the said Children to haue allowed them at euery meale two whete loves and bere or Ale at the discretion of the Clerke of the Kytchyn and that all that remayneth of fleshe and fishe vnserved to be had into the Larder ymediatly after Dynner and Supper be serued, and the Lar-

derer to be chardged with all that that be forthcommyng, and to answere thereof to the Clerke of the Kytchin at the perill of the said Larderer.

65. Item it is Ordayned that the Cater be a Man of reason and of substaunce and to haue good knowledge in his Meates and Season of the yere, and the said Cater to haue a howse to laye in his provision and that he be at all tymes at the calling of the Clerke of the Kytchen And that he provide no Vitaill, but such as shal be good and wholsome for mens bodies and the provision to be made in season to the most profitt of the Lord. And yf it be quicke stuff to be meated, and watered, and dressed according to the nature of yt, And yf it be perished in his default, he shall answer to yt at his perill.

66. Item yt is ordayned that the Butchers daily do attend vpon theire Office, and to keepe theire Office cleane without savor that might hurt or noye any people, and to be two tymes a day at the least with the Clerke of the Kytchen to understand what stuffe he shall kyll, And they shall take no fees but such as shall be appoynted vnto them.

67. Item that the said Butchers or one of them be appoynted to see all Oxen Sheepe Porkes, Bores, Veales and Lammes provided for and kept as oft as it shal be thought needfull and after the season of the Yere to change and dryve them from place to place, and that they haue speciall heede in dryving them, so that the said Vitaille, nor any parte of them be hurt in theire default in hastye dryving as they will answere at theire perrill, nor that they suffer any Cattaille in the Lords pastures, saving only his owne.

68. Item, that they order and drye theire fells and tallowe to the best of theire power, and to the most advantage of the Lord and trewly taile with the Tanners and byers of the hides and fells as they deliuer them And at euery tyme they kyll any stuffe to shewe it to the Clerke of the Kytchen so that he maie be there or his Deputy to see

the beast or beasts and the tallowe to be made vp And euery weekes ende to bring the taile of theire Offices into the Counting howse and that the bier of the tallowe shall take the waight at v daies ende or vi at the farthest.

69. Item yt is Ordayned that a Yoman of the Squillery and in his absence the grome to haue all such plate in theire guyding and keeping as shall serve for the Lords bourde as Chargers dishes platters potagers and sawsers, And that they take surely heede of the said plate vpon theire perill, And that daily after Dynner at convenient tyme and season to bring vp the said plate into the Jewel Howse or Wardrop and there to deliuer yt to a Yoman of the same except such nights as shal be thought for my Lords honor, plate to be kepte to serve the Lorde at his Supper And fowere tymes in the Yere to make a trewe accompt of the pewter Vessell.

70. Item, it is Ordayned that a Yoman or Grome of the Squillery or Sawcery in tyme of Season of the Yere gather crabbes and stamp them, and make of them verriuis for the Lords Howshold, and to prepare instruments therefore And is likewise to make all other sawces throughout the Yere as musterd Vineg and Veriuis And also that the Yoman of the Squillery see daily and diligently to the gathering and keeping of all the Sylver plate and pewter, and that for lacke of gathering there be none stolen, broken nor embesseled, nor that they haue any owt of the gates, nor to any Chamber any of the said plates or Vessell without speciall Lycence of an Hedd Officer vpon paine of losing his Office and that euery daie tymely in the morning they resort to the Kytchen to knowe what meate is Ordayned for my Lord, To th' intent they maie prepare Sawce convenient for the same meate.

71. Item it is Ordained that the Lords Almnoure shall at euery Dynner and Supper waight vpon the Lord at his table when the Lord dyneth and suppeth abroade, and there to take vp

euery dishe when the Lorde hath sett yt from hym and thereof to make sufficiently th' almes dishe to be gyven to the most needy Man and Woman by his discretion Alwaies the Lords tenants to be preferred therein yf there be needy, except such disshies as shall be sent from the Lord to Strangers or other of his Howse at his pleasure And the said Almonours to take vp the releves of breade drincke and meate as well of the Chamber as of the Hall, and diligently keep yt from devowring of doggs. And to put it in a cleane Vessel and truely to distribute at the gate to poore people, iij or iiij daies in the Weeke by his discretion.

72. Item, it is ordeyned that the Avener shall suerly and diligently provide in season and tyme for the Lords Haye lytter and provender And also to see the Hey of the Lords owne grounde and growing be well made and surely to be mowed and kept without unreasonable wast, and also at euery place locks and keyes sufficient to be had And that the Avener suffer no manner of Man to spend any haye or haue any libertye in any place where the Lords Hay lyeth saue where the Liuery shall be appoynted for ye tyme except such as shal be appoynted by the Lord.

73. Item that the said Avener see well and suerly to his Otes and hay and lytter in euerie place and at diuers tymes, and that at his departing from euery place he note wysly his hay and lytter, and to measure his Otes to th' intent he maie see and knowe at his Commyng the suertie thereof and yf at any place he finde any fault to serche yt owt to the best of his power and the same to shewe vnto the Lorde or his Officers in the Counting howse for the further serching and reformation thereof.

74. Item that the said Avener provide in due tyme and season for Otes and litter to the most behoofe and profitt to the Lord and that at every standing Lyvery every keeper ther that is allowed at the Lords bourd wagis keepe well and trewly other mens horses that be to hym

assygned as his owne Masters v at the lest, and vi in tyme of neede, and yf any such bee that will not so doe diligently and effectually the Avener or Yoman of the Horse to enforme the Hedd Officers thereof, and by theire consent to put hym owt and set another in his stedd, as he will answer to the Lord and to euery other partie that sendeth his Horse to Liuery at his perill.

75. Item, that the Masters of the Horses, or in his absence the Yoman bye no saddles, horse harness, watering bridles, halters Degmes hamells, pastrons, sursingles, girthes bitts colers or any other stuffe without it be first shewed in the Counting House, and to haue a byll therefore from an Hedd Officer to the sadler, and that all such stuffe bought be well kept without any losse, wast or destruction And that the said Master of the horses or Yoman make an accompte monethly in the Counting howse thereof, and that theire make no fees, but such as shal be appoynted, And that the Yoman of the Horses see daily to the governance and suer keeping of the said Horses and keepers, and that they be kept as they should be.

76. Item, that the Avener monethly bring in all manner provition and deliueraunces into the Counting howse to th' intent that deu allowaunce maie be had according to theire expences And yf any thing lacke or be misvsed to see yt reformed, And the Clerke of the Kytchen to paie trewly the ryding wagis and that no lyueries of Wyne, bread, Ale, nor bere be made owt of the Hall or any Office to the Stable but by the ouersight and Commaundement of the said Hedd Officers.

77. Item, it is Ordained that the Yoman and Gromes of the Wardrobe take heed diligently to all apparrell Arras, tapestry woollen and Lynnen and other Stuff vnder theire handes, so that in theire default the Lords apparrell and stuffe, be not perished, nor hurt, but they to see yt brusshed spunged and Ayred euery weeke or fortnight as it shal be thought needfull.

78. Item that all such Lynnen clothes as shall be for the Lavendry imediately after they be desoyled be sent to the said Lavendry and there to be deliuered by a table, and not to be cast in Corners, and so lost or forgotten, And in likewise quickly receyved againe from the Laundry and cleanely laid vp with sweet herbes in a Chest iij or iiij daies at the least before they be occupied.

79. Item it is that the harbingers for the tyme being shall assigne Lodgings and make herbage to euery personne of the Howshold after their state and degree and ioyning theire Lodgings next to my Lords, as theire Office and attendance requireth, and that no man of the said Howshold presume to dislodge any mann or take awaie lodgings other than shall be appointed by the said Herbinger And iff it so be that any of the said Company be lodged, Yet for reasonable causes and consideracions to be removed and otherwise lodged as the cause shall require, alwaies foreseene that in the towre next the Lords Lodgings be reserved and kept reasonable Lodgings for Strangers, And yf any man presume to doe the contrary or offend in any of these Ordinaunces to be punished for the first Offence, and to lose a Monethes Wage. And for the second tyme to be ymprisoned, and the third time to be put out of Service.

80. Item it is ordeyned that no personn or personnes of howshold shall at any tyme depart the said Howse whether it be the Lords business or his owne, but that he first shall come to the Counting howse or at least to the Clerke Comptroller and the Clerke Comptroller shall enter the daie and tyme of his departure for that he maie haue iust ordinarie allowance accordingly upon paine of losing the said allowance yf he goe in the Lords Busines, and yf he goe in his owne business, then he shall runne in further penaltie of the said Statute.

81. Item, it is ordained that yf any particular personne or personnes of Howshold be Chardged by any Hedd Office

to keepe any bookes for reformation of any thing concerning good order to be kept within the said Howse And yf it be not kept accordingly the said personne or personnes being soe negligent in the same shall runne in like penaltie and haue like punishment as they ought to have which shall offend in the said Order.

82. Item, it is Ordeyned that no manner of personne receyved by the said Lord into his service shal be set in the Hall as my Lords Servaunt vnto such tyme as he shall be admitted in the Counting howse, and there haue taken his othe and also the Statutes redd vnto hym.

83. The penaltie of all the Statutes. First by discreet warning The next dischardge hym the Howse with his Horse yf he haue any for vii daies. The third warning to dischardge him likewise for xiiij daies, and at the fourth tyme to deliuer hym his Wagis and put hym cleane owt of Seruice.

The Office of the Steward.

84. First that he ought to make provision for all manner of grosse Emptions for the Howshold, and at such tymes and seasons of the Yere as shal be most for the Lords proffitt yf it beeffe beeffetts or Muttons to see that they be well pastured so that they decaye not for lacke thereof and yf it be other grosse emptions, to see it brought into such Storehouses as is appoynted for the same.

85. Item, that he ought to deliuer money by Indenture to the Caters and slaughtermen to buy and make such provision as they shall be chardged with so that they maie haue ready money to dischardge all such emptions as shal be by them bought and not to take vitaille of Credaunce, for by reason thereof the Lord runneth not onely into great infamy and slaunder but also thereby susteyneth greate losse.

86. Item that he ought from tyme to tyme to consult and

counsaill with the Comptroller and Clerke of the Kytchen concerning such provision as he is chardged to make to th' intent that alwaies the same provision maie be made in due season and most for the Lords profitt.

87. Item, that he ought to provide al manner of stuffe requisite and necessarye for the Lord and his Howse and to deliuer the same by Indenture to such persons as ought to be chardged therewith. And further that he ought euery halfe yere or els at the lest euery yere to receive the same stuffe by the said Indenture not only to sett that the said stuffe be in theire custody who hath the chardge thereof, but also that it be well and substauntially kept.

88. Item, he ought to paye all manner of charges ordinarie and without ordinarie as maie appeare vnto hym due to any person or personnes, as well that which is assigned by the hands of the Comptroller as also that which is his own provision.

89. Item that he with the Comptroller and other the Lords Counsaill ought to make Ordinary dietories and other ordinary allowances to euery personne being within the Lords Chekerolle for that euery such personne maie knowe what allowance he ought to haue by the said Ordinary and that no suche dietory or Ordinary be broken without his advice and knowledge.

90. That he ought ymmediately after the Lord hath admitted any Chapleyne, Gentleman particuler or Grome into his Service the Lords pleasure therein knowen to call them into the Counting howse and there gyve them theire chardge, And further declare vnto them such Statutes as he shall thinke meete and convenient for them to knowe to th' intent that suche personnes maie well observe and keepe them And that done to notice vnto them what ordinary allowaunce they shall have as well in Wage and Lyuery, as in diet wood Candles and lodging, and also iournieng by the Lords Commaundement and Carriage at

suche tymes as the Lord removeth his howshold &c. And yf the Comptroler be not there present then the Steward ought at tyme convenient to declare vnto the said Comptroler what he hath donne therein, for that he maie not onely see the said personnes doe theire duties in suche Seruice as they maie be appoynted vnto but also that they maie willingly haue all suche Ordinary allowaunces as they ought to be allowed of.

91. Item, he shall keepe all manner of inventories as well of the Lords Wardrobe as other, and when any newe is bought to see it entred into the same.

92. Item, that he ought not to send no manner of personn about the Lords busines, nor Lycence no man to depart the Lords Howse but that he shall commaunde the same forthwith to resort to the Comptroler and make hym privy of his going not onely for that the Ordinary maie be so much abated, but also that the said Comptroler maie mark in his ledgier the daie and tyme of his going forthe, to th' intent that at his comyng againe yf he have bynn in the Lords business to gyve allowance accordingly.

93. Item that he ought to aide and assist the Comptroler in all things which he shall doe concerning the keeping of all manner of Statutes, Ordinances and good rules in the said howse, And further at all tymes, at the request of the said Comptroler, when any thing is to be reformed shall come with the Comptroller to the Counting Howse there to put in execution such Statutes as for the good order of the Lords Howse is Ordeyned and made &c, And also yf he hymselfe perceave any wast made in the said House or any thing els owt of Order contrary to the statutes of the same House then he ought forthwith to call a Counting howse for reformacion thereof.

The Office of Comptroler.

94. First that he ought to view and see all suche grosse provisions as shal be made by the steward to th' intent not

onely the pryces thereof be reasonable but also that it be good and serviseable for the Lords howshold, yf it be not forthwith disallowe the same that other provision maie be made in due season, so that the Lord shall not be vnserved, and that donne to charge euery other Officer which ought to be chardged with the same provision to the Lords vse And yf any default be found in keeping, or ordering the said provision the Officers being founde in such default to paye for the same.

95. Item that he ought daily to viewe all manner of Vitaill brought into the Larder by the Caters and slaughtermen and to see that yt be good servisable and holsome for mannes bodye, and the prices reasonable, and also the cutting owt thereof, that done to assigne theire books for theire allowaunce of the same and yf any defaulte be founde in keeping ordering dressing seasoning or yssuing of the same vntil the Larderer or other Officers or Cooke appoynted for that purpose shall paye for the said Vitaills so negligently or wilfully lost.

96. Item that he ought to gage all the Ale, beere and wyne brought into the said Howse And also see or cause to be seene all other things which is bought by waight and measure, measured and wayed for that the Lord should take no losse thereby, And further he ought euery daie once to be in euery Office within the said Howse to see th' Ordering and keeping of the same And yf any default be found to call them into the Counting Howse and to see them punished according to theire defaults.

97. Item that he ought after an Ordinarie is appoynted to commaunde and also see euery particuler Office to follow the same Ordinarie and to gyve euery man willingly like allowaunces, as they be allowed in the same Ordinary, and not aboue, except he be further commaunded by the Lorde, the Steward or the said Comptroler.

98. Item that he ought to see that no particuler Officer shall

plant or appoynt any other man to serve or keepe his Office for theire owne ease and otherwise for by reason of some meanes euery Office within the House is disordered from the said Ordinarie.

99. Item that the Steward and he, or one of them at the least ought to be twise a Weeke in the Counting howse and call before them or one of them at the least all the Officers of the Howshold and there straightly chardge them to be of honest conversation trew and diligent in theire Offices, to the most honor and profitt of the Lord and further to see daily all manner of [a] by reason whereof yt maie appeare vnto hym yf any wast hath bynn made in the said Offices, whereupon he ought to monishe them of theire defaults that the said Officer maie amend the same And yf he amende yt not, then he ought to certifie the Lord of his default and so the Steward and hee to put the said Officer from his Office.

100. Item that the Steward and hee or one of them ought yf any other Howshold Servant doe not theire duties in such service as they be appoynted vnto, Or doe breake any of the said statutes or Ordinaunces which is made for the keeping of good rule and Order of the said Howse, to call them to the Counting howse and their examyn them of theire defaults and trespas, and that neither for feare nor for love, neither for old service nor for new any trespas be favoured but punished according to there trespas, nor that they or any other Hedd Officer take part nor favor any manner of personne of Howshold more one that another in that behalfe.

101. Item that he ought to keepe a great Legeir wherein he should note euery bill of payments that passeth his hands by assignment because no doble allowaunce should be gyven And in the said booke he ought to note euery personne put forth on the Lords Busines, or otherwise Lycensed the daie and tyme of theire departing forth of

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[a] [a blank here.]

the said howse, for that at theire comyng againe he maie give them allowaunce accordingly.

102. Item that he ought at euery remove to see or cause to be seene that no man haue carriage with the Lords stuffe, and at his chardge no more then he, or they be allowed in theire Ordinary.

103. Item that he record all grosse emptions bought as well by Steward as by other to the Lords vse.

104. Item to record all monitions gyven to any person within my Lords howshold for reformation to be had in the same.

105. Item he shall suffer no horsse to be at the Lord's chardge within the howse nor without, except such as be allowed by the Lords Chequere Rolle or lycensed by the Hed Officer.

106. Item he shall monethly take reckoning of the Stable and Court Roll, as neede shall require.

107. Item he shall keepe the Lords Chequire Rolle and his Statutes and shall enter into the said Rolle euery servaunt receyved by my Lord. And also shall reade vnto hym such Statutes as be meete for hym to knowe before he be sett in the Hall as my Lords servaunt.

108. Item, that the Clerke of the Kytchen come duly into the Kytchen in the morning earely and appointe the Cater what to bring in for provision, and to appointe the Cooke, what and how much to dresse, according to the rate of the howshold so to be knowen of the Comptroler or Vssher of the Hall.

109. Item, that he doe see the Lords service orderly served owte of the Dresser, and to followe the said Seruice tyll yt be served downe, and that such meate as remaine vn-

served to be safely kept by the Larderer, or at his owne hand and so to be served at other meales against the w^{ch} meales, lesse to be prepared.

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[a] [blanks here.]

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ADDITIONS AND CORRECTIONS.

⁂ *Insert the following at p.* 731. *after line* 3. " As touching &c.

The beginning of the Archbishop's letter, No. lxv. ran in these words. Page 159.[a]

" After my veray hartie commendations, I thancke youe for your Newes; but speciallie that ye advertise me that the King's Majestie is in good health: wherein I beseche God long to continue his highness, as he hath twise [as I trust] restored me to the same.

" Yt seamithe by your letters, that a peace should be concluded betwixt th' Emperour and Duke Morise, which whether it be according to th' Articles that afore ye sent unto me, or otherwise, I would gladlie understaunde.

" The commoditie that might arise by printing the boke of Common Praier and Administration of Sacraments in the French tongue (if any be) I reckon it were meet that it should come to theim which have already taken paines in translating the same which first was done by Sir Hugh Pallets [Paulets] commandment, and overseen by my L. Chauncellor and other at his appointment; and now altered according to that which must be put in execution at the Feast of All Saincts next, at th' appoinctment of my L. Chancellour by a learned French man, a Doctor in Divinitie: and therfore needles of any other to be travailed in.

" Though in England there be . . . .

. . . . Cranmer there cited before the Queen's commissioners. P. 307[b] I said there we were left to guess what he was now cited for, I said, I supposed it was to lay to his charge Heresy and his Marriage. Wharton saith in his Observations, p. 261[c], 'It was undoubtedly to charge him with treason in the matter of queen Jane.' But these commissioners sat in the consistory of St. Paul's. And therefore we may conclude them ecclesiastical commissioners, who had nothing to do with matters of treason, but about some church matters rather. And as for the matter of queen Jane, he was afterwards charged with that at Guildhall.

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[a] [Vol. ii. p. 670 of this ed.]

[b] [ante, p. 18]

[c] [ante, p. 714]

Anno 1553, p. 368[d]. A convocation is there spoken of to be held under Cardinal Pole. But that was a Synod Legatine, [as the author of the Rights, Powers, &c. of an English Convocation shews, p. 373.] For which he had a license under the broad seal, dated Nov. 2. And upon it he issued out his mandate to Bishop Boner, Nov. 8, for the province of Canterbury to meet, that of York on the 2d of December following. Accordingly both provinces met in the King's Chapel at Whitehall, and from thence adjourned back again to Paul's, and afterward to Lambeth; and continued sitting there till February the 11. which was two months after the Parliament was dissolved, which was Dec. 9.

But the Parliamentary Convocation met Oct. 22. at Paul's, convened by the Dean and Chapter of Canterbury, as was usual in the vacancy. And Bishop Boner, by commission from the chapter, presided. There they sat and did business till Oct. 30. when they offered their subsidies and complaints to the Queen.

Page 221. l. 9.[e] Insert; At Westminster, July 8. This day the Bishop of Winchester's case was renewed upon the report of the Lords that had been with him, that his answers were ever doubtful, refusing while he were......... Vide Foxe's first Edit. of his Martyrol[f].

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[d] [ante, p. 196]

[e] [Vol. ii. p. 230. l. 8 of this ed. where this extract is given at length in the note.]

[f] [P. 766.]

CORRECTIONS.

The words here given are the corrections to be made.

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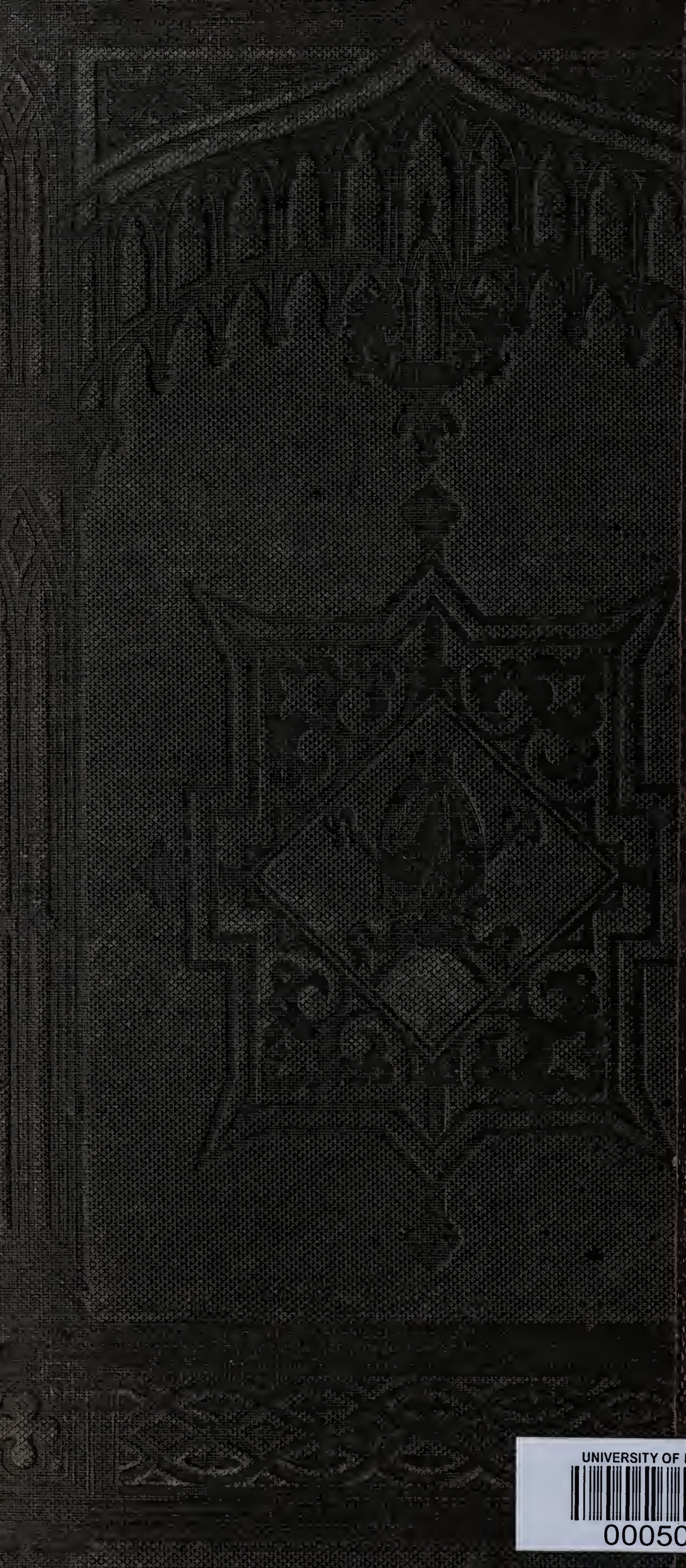

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